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Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Fifth periodic reports of States parties due in 2011

Sweden *

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Introduction

1. In accordance with Article 44.1 of the Convention on the Rights of the Child (CRC), Sweden presents its fifth periodic report on measures to put the CRC into effect. This report takes into account the revised guidelines of the Committee on the Rights of the Child for periodic reporting, issued by the Committee in November 2010 (CRC/C/58/Rev.2). In accordance with the Guidelines a statistical annex is also attached (annex 1).

2. This report presents, in accordance with the Committee's instructions, the developments and changes that have occurred since the previous reporting date. Governmental efforts to implement the CRC have in the past fifteen years been both strategic and systematic. Swedish legislative compliance with the Convention has been reviewed on several occasions, most recently in 2011, and the assessment is that Swedish legislation in general complies well with the CRC, but that its application must be further safe-guarded. Efforts in the field of the rights of the child are an on-going process for the improvement of both legislation and enforcement. The government deemed that even if there was an awareness of the CRC through the efforts of the Ombudsman for Children, public authorities, municipalities, county councils, and, in particular, those of organisations of civil society, there was a need for a new strategy to strengthen the rights of the child and for enhanced measures to increase knowledge about how the rights of the child can be put into practice in different activities, and especially, the opportunity for children to express their views. The strategy was approved by the Parliament in December 2010 (Report 2010/11:SoU3), replacing the previous strategy from 1999. Concurrently with this new strategy, the government entered into an agreement with the Swedish Association of Local Authorities and Regions (SALAR) to intensify efforts to strengthen the rights of the child through such measures as expertise enhancement. To further enhance these proactive efforts, the Ombudsman for Children has recently been commissioned to disseminate and communicate the government's strategy to the municipalities, county councils and public authorities. In recent years, the government has also focused on monitoring children's living conditions, at both local and national level. The Ombudsman for Children has developed a monitoring system (Max18) for the living conditions of children and young people, which came into operation in 2012. In addition to these general measures, the government has strengthened the rights of the child in such areas as social services and education. Furthermore, the rights of children belonging to national minorities have been strengthened as well as children's rights to culture, while children's rights in the area of sports have also been strengthened. Combating violence against children has been and remains a priority issue for the government and several measures have been implemented, primarily for preventive purposes. Nevertheless, challenges still remain with regard to fully protecting children from violence and other forms of abuse. Moreover, there are challenges when it comes to ensuring that children in vulnerable situations have their rights recognised, e.g., within social care for children and young people, children with substance abusing parents, children with disabilities, asylum-seeking children and children without a Swedish residence permit. An additional challenge is to ensure the rights of the child to be heard in different contexts.

3. This report has been prepared at the Swedish Government Offices with the participation of representatives from all ministries involved, and it has been compiled by the CRC Coordination Office at the Child at the Ministry of Health and Social Affairs. Its contents deal in particular with the issues raised by the Committee on the Rights of the Child in its Concluding Observations from 2009, CRC/C/SWE/CO/4 with regard to Sweden's implementation of the CRC, and its Concluding Observations from 2007 (CRC/C/OPAC/SWE/CO/1) and 2011 (CRC/C/OPSC/SWE/CO/1) in respect of the Optional Protocols to the Convention on the Rights of the Child on involvement of children

in armed conflicts, and the sale of children, child prostitution and child pornography, respectively.

4. The government's view is that the problem analysis and recommendations of the Committee on the Rights of the Child generally summarises those issues to which Sweden should give priority in order to fulfil its obligations under the CRC to the greatest possible extent. The report also discusses developments in certain areas that the government considers to be particularly relevant to the implementation of the CRC in Sweden. In other respects, the report refers to Sweden's previous reports with regard to matters that have already been discussed.

5. This report concentrates on the measures taken by the government and public authorities during the past five years. Where relevant, the report also discusses the work of other child rights actors, such as municipalities and county councils, foundations and organisations of civil society. Information about the work of the municipalities and county councils in strengthening the rights of the child comes from the efforts co-ordinated by the Swedish Association of Local Authorities and Regions (SALAR) but also the reports submitted by public authorities to the government, as well as the experience and knowledge that the Ombudsman for Children has gained from promoting and monitoring the implementation of the CRC within public authorities, municipalities and county councils.

6. As a basis for the report, the Ombudsman for Children in Sweden has submitted a special report to the government that is attached to this report (annex 2). The Ombudsman's documentation and other reports and assignments have allowed the government to take note of what children and young people have informed the Ombudsman on various issues that concern them. The government has specifically met with children and young people living under vulnerable conditions to listen to how they view their situation. Furthermore, issues on the rights of the child are raised in governmental meetings with children and young people in a variety of contexts. In preparing this report, the government has also consulted the SALAR and organisations of civil society. Another aspect of these preparatory efforts has been the recurring thematic dialogues with organisations of civil society, the SALAR, the Ombudsman for Children and public authorities based on the Committee's recommendations (please also refer to paragraph 38).

7. This report will be published on the government´s human rights website and distributed in written form to the actors concerned such as municipalities, county councils, public authorities and interested parties within civil society.

I. General measures of implementation (articles 4, 42 and 44.6) reservations

8. *The Committee recommends that Sweden consider withdrawing its declaration on Article 2 (c) in order to give full effect to the Optional Protocol to the Convention in addressing all forms of child pornography (cf the Committee's concluding observations, 2011 paragraph 9).*

9. When signing the protocol, Sweden made a declaration with respect to Article 2 (c), which referred to the EU's preliminary statement to the effect that "any representation" shall include only "visual representation" and to its own previous statements that the word "representation" shall refer only to visual representation. At the same time, it was additionally stated that it interprets the phrase in 2 (c) as visual representation, that is, images. Sweden has thus accepted the Optional Protocol, with the explanation that it refers solely to images of children.

National strategy

10. *The Committee on the Rights of the Child welcomed the government's second action plan for Human Rights and recommended that Sweden adopt a comprehensive national action plan on the rights of the child (cf the Committee's concluding observations, 2009 paragraphs 13-14).*

11. The government's long-term goal is to ensure full respect for human rights, including the rights of the child in Sweden. In order to co ordinate and develop efforts towards this goal, the government has adopted two national action plans on human rights, for the periods 2002-2004 and 2006-2009, respectively.

12. The Government Offices are currently working to develop what is planned to become the government's third comprehensive strategy for human rights in Sweden. As a key part of this strategy, the Ministry of Employment, which has a coordinating responsibility for human rights, has conducted a consultation process during autumn 2011 and spring 2012 with a wide spectrum of actors concerned with these issues. The objective is to allow a decision to be taken on the government's third strategy for human rights in autumn 2012.

13. The CRC is the cornerstone of the governments policy on the rights of the child. The Ministry of Health and Social Affairs is assigned to initiate, promote and co-ordinate processes with the objective that the spirit and the intentions of the CRC shall permeate all aspects of government policy and all public activities relating to children and young people. For a number of years now, the majority of government ministries have had contact persons for the rights of the child. An introductory training course in human rights has been offered to all new employees of the Government Offices since some ten years ago which also includes the rights of the child (please also refer to Sweden's fourth report in 2007, paragraph 17).

14. The goal of the child rights policy is that children and young people must be respected and given opportunities for development and security as well as for participation and influence. In order to co-ordinate and promote working towards this goal, the Swedish Parliament adopted the first strategy to implement the UN Convention on the Rights of the Child in Sweden in 1999 (prop.1997/98:182, bet. 1998/99:SoU6, rskr. 1998/99:171), (see Sweden's third report 2002 paragraphs 12-14).

15. The previous strategy has performed an essential role in highlighting strategically important areas in working with the rights of the child. Implementing the rights of the child is however an ongoing process where it is important that all actors involved at central and local levels apply common principles. As previously mentioned, the Parliament approved the government's proposed new strategy.

16. The Government strategy shall comprise the platform for public actors at central and local levels in their measures to ensure the rights of the child and be viewed as a tool in their efforts to implement these rights.

17. The following strategy is applied to enhancing the rights of the child in Sweden:

- All legislation concerning children will be formulated in accordance with the CRC.
- The physical and mental integrity of the child will be respected in all circumstances.
- Children will be given the opportunity to express their views in all matters affecting them.
- Children will receive information about their rights and what they mean in practice.

- Parents will receive information about the rights of the child and be offered support in their role as parents.
- Decision-makers and relevant professional groups must be knowledgeable about the rights of the child and put his knowledge into practice in relevant activities.
- Actors in different areas of activity that concern children are to strengthen the rights of the child through collaboration.
- Current knowledge about children's living conditions will form the basis of decisions and priorities affecting children.
- Decisions and actions affecting children will be followed up and evaluated from a perspective of the rights of the child.

18. The government has decided on a number of measures of general nature as well as specific ones in different areas to strengthen the rights of the child based on the strategy described in the relevant sections of the report. Its objective is to present its measures in an integrated action plan at a later date.

Resource allocation

19. *The Committee recommended that Sweden continue to increase the provision of specific information in terms of figures and percentage of the national budget regarding the implementation of the CRC, in order to allow proper assessment of the degree to which Sweden is meeting its obligations under Article 4 of the Convention (please refer to the Committee's concluding observations 2009 paragraphs 17-18).*

20. The child rights policy is cross-sectoral and primarily comprises efforts to implement the CRC in Sweden, and the government has at its disposal a special appropriation for measures to achieve this very purpose (Expenditure area 9, appropriation 7:3). Between 2007 and 2011, this allocation amounted to a total of SEK 57 millions. Measures to improve the rights of the child in various fields are funded within the framework of each appropriation. Please also refer to annex 1, paragraphs 1-8.

Legislative compliance with the CRC

21. *The Committee invited Sweden to take all necessary measures to ensure that national legislation is brought into full conformity with the Convention and that Sweden continue to strengthen its efforts towards formal recognition of the Convention as Swedish law (cf concluding observations of the Committee on the Rights of the Child, 2009 paragraphs 9-10).*

22. According to the government's strategy, all legislation concerning children will be formulated in accordance with the CRC. The Convention and its two Optional Protocols have been incorporated into Swedish legislation through transformation, i.e., by adapting the Swedish rules on various specific areas to the requirements of the CRC. Transformation as a method requires gradual and continuous adaptation of national law and application, however, since the Convention needs to be interpreted in the light of changing social conditions and development.

23. A broad review of how Swedish legislation and practice comply with the provisions and norms of the CRC was presented in 1997 (see also Sweden's third report 2002, page 12). The government initiated in 2010 a new survey of how Swedish legislation and practice comply with the rights in the CRC (Ds 2011:37). The memorandum that was

presented in November 2011 illustrates how Sweden through its transformation efforts has fulfilled its obligations under the Convention.

24. In a summary, the survey stated that Swedish law generally complies well with the rights in the CRC and that legislation may be considered well developed with regard to these rights. The Swedish regulations often exceed the minimum requirements of the Convention.

25. However, legislation cannot ensure that the rights of every individual child are enforced in every situation, while it is obviously crucial that application too is consistent with these rights. To improve the implementation of rights of the child in the courts and all child-related activities is a challenge for Sweden.

26. According to the principle of treaty-conform interpretation, the courts, public authorities, municipalities and county councils shall interpret and apply laws and regulations to ensure that the obligations under the CRC and other international agreements relating to children's rights are respected in practice, in decisions and actions, as far as this is possible within the framework of the wording of Swedish legislation (what is termed treaty-conform application of the law).

27. The government is ultimately responsible, but the Parliament, municipalities, county councils and public authorities also have full responsibility for promoting and protecting the rights of the child to the extent of their powers, in accordance with existing international obligations. An important indication in terms of the duty of society, which accords well with Sweden's obligations under the CRC, has with effect from January 1, 2011 been incorporated into the Instrument of Government, one of Sweden's constitutional laws. According to Chapter 1 § 2 of the Instrument of Government (RF) society is required to operate so that all people may attain participation and equality in society and the rights of the child are safeguarded (Draft bill 2009/10:80, a reformed constitution).

28. In Sweden the incorporation of the CRC into Swedish law is currently under discussion, and in a letter (2009) to the government the Ombudsman for Children has put on record that the government should appoint a commission to undertake a broad review of how Swedish legislation and practice relate to the provisions of the CRC and also to consider whether the CRC should be given the legal status of a law (see annex 2, page 1). The government survey entitled A new structure for the protection of human rights (SOU 2010:70) also suggested that the government should appoint a commission to investigate the suitability of incorporating further conventions into Swedish law, including the CRC. In order to gain a deeper knowledge of the legal status of the CRC, in May 2012 the Minister for Children and the Elderly invited Sweden's Nordic neighbours to a Nordic knowledge seminar on the legal status of the CRC. During the seminar, Sweden was able among other things to learn about Finnish and Norwegian experiences of incorporation of the CRC as well as the fact that the issue is also being discussed in Iceland and Denmark.

29. As a basis for the government's work on the planned strategy for human rights, use is being made of the findings of two government commissions: both the Delegation for Human Rights in Sweden, and the Commission for the evaluation of the National Action Plan for Human Rights. These findings put forward a number of proposals that focus on strengthening the structure for protecting and working with human rights in Sweden. Both reports provide, among other things, proposals on clarifying in Swedish legislation the country's convention obligations with regard to human rights. These proposals are currently being prepared by the Government Offices.

Independent monitoring

30. *The Committee recommended improvements to the mandate of the Ombudsman for Children, including considering whether to provide the Ombudsman with the mandate to investigate individual complaints, that the Ombudsman's annual report should be presented to the Parliament along with information about the measures which the government intends to take to implement the Ombudsman's recommendations (cf Committee's concluding observations, 2009 paragraphs 15-16).*

31. The Ombudsman for Children has a central role in efforts to implement child rights in Sweden through its assignment to represent the interests of children and young people on the basis of the CRC and to monitor and promote compliance with the CRC. The Ombudsman's annual report is addressed to the government. The annual reports and the proposals contained therein provide a preparatory basis for developing the government's child rights policy.

32. The Ombudsman for Children is a public authority that comes under the government, and as Parliament decides on the Ombudsman's resources, the government gives an annual account of the results of the Ombudsman's work to Parliament by means of the budget bill. Moreover, the Ombudsman distributes the report among the MPs and is also regularly invited to attend the Parliamentary Committee on Health and Welfare to give a more detailed account of his operations.

33. On 19 December 2011, the UN General Assembly adopted an Optional Protocol to the Convention on the Rights of the Child establishing a communications procedure. The question of signing and ratification is currently being prepared by the Government Offices. In the basis for this report the Ombudsman for Children has stated that, in the light of the possible introduction of an international communication procedure linked to the CRC and the fact that implementation of the CRC is influenced by how courts and public authorities interpret and apply the legislation, an investigation should be undertaken on how the Ombudsman can contribute to a greater degree also towards a development of a recurrent application of the law. The Ombudsman for Children is of the opinion that it should be considered whether the Authority should be granted the power to speak for individuals in cases of particular importance for the application of law, or of interest for the implementation of the CRC.

34. Sweden, in connection with the Universal Periodic Review by the UN Human Rights Council, has received a number of recommendations on the establishment of a national human rights institution there. Two goverment commissions, the Human Rights Delegation in Sweden and the Commission for the evaluation of the National Action Plan for Human Rights, have proposed that a national institution with a broad mandate to protect and promote human rights be established in Sweden in accordance with the Paris Principles. Comments on the proposal have been obtained through both circulation of the report of the Delegation for Human Rights in Sweden and through the consultation process on human rights undertaken in autumn 2011 and spring 2012. The proposal for a national human rights institution is being further prepared in the context of work on the government's third strategy for human rights (please refer to paragraphs 11-12).

Co-ordination

35. *The committee recommended continued efforts to improve coordination of efforts on behalf of children's rights (cf the Committee's concluding observations, 2009 paragraphs 11-12).*

36. Responsibility for activities relating to children is divided between the state and the municipalities and between central, regional and local authorities. In order to increase co-ordination and dialogue on child rights issues at all levels, the government and Parliament have, as previously mentioned, adopted a new strategy to strengthen the rights of the child (see paragraphs 14-17) as a common ground of departure for continued efforts. In the strategy for the rights of the child, the government has also stressed the importance of co-operation at different levels within society.

37. The agreement concluded by the government and the Association of Local Authorities and Regions (SALAR) in 2010 also contributes to strengthening co-ordination and dialogue on children's rights (please refer to paragraph 74).

38. In September 2009 the government took the initiative on recurrent thematic dialogues with civil society, the SALAR, the Ombudsman for Children and other relevant authorities. The objective is to share knowledge and experience from all parties involved and to contribute towards a greater consensus and better co-ordination on issues relating to child rights. The thematic dialogues are based on current issues that have been especially prioritised by the government as well as the latest recommendations made to Sweden by the Committee on the Rights of the Child. Thematic dialogues have been held on strengthening the rights of the child through legislation, children in economically vulnerable situations, future challenges to strengthening work on the rights of the child as well as violence against children.

Statistics

39. *The committee recommended continued co-ordination of the actors that collects statistical data on children (cf the Committee's concluding observations, 2009 paragraphs 19-20).*

40. In order to take appropriate measures and assign priorities relating to children, it is necessary to have a good knowledge of children's living conditions at local, regional and national levels, as highlighted in the government's strategy. There is already a large amount of data on children's living conditions, but they are scattered among various actors and co-ordination needs to be further strengthened. The Ombudsman for Children has therefore been commissioned to develop a platform to monitor the living conditions of children in different areas based on the CRC. The government has therefore enhanced the Ombudsman's activities with effect from 2012 by means of SEK 2,500,000 for operation, dissemination and further development of the monitoring system, which will be used to measure and describe those aspects of children's living conditions that the government deemes are central from a child rights perspective and to provide a comprehensive picture of their living conditions. The monitoring system is not only to be used for subsequently tracing the development of children's living conditions but is also to be used by decision-makers to prioritise measures. The vast majority of decisions affecting children are taken at local and regional levels, and the government further believes that more indicators need to be developed in order to obtain as complete picture as possible of children's living conditions.

41. The Swedish National Board for Youth Affairs has since 2006 been assigned to annually compile some eighty different indicators in order to follow developments in the living conditions of young people aged 13-25 years, and its annual reporting takes the form of a special report to the government, for which some fifteen different public authorities contribute data and analyses covering the fields of education and learning, health and vulnerability, influence and representation, work and income, as well as culture and leisure.

42. To improve the knowledge and the development of the living conditions of persons with disabilities, including children and young people, Handisam (The Swedish Agency for Disability Policy Coordination) has been mandated by the government to develop a comprehensive disability policy monitoring system. Follow-up efforts are part of the government's strategic initiative to implement its disability policy by 2016, and are aimed primarily at a number of priority focus areas, such as the labour market, education, health, social care, social security, social planning and development, information technology, transport, culture, media and sport, as well as the justice system and migration. As part of these efforts, Statistics Sweden has been mandated to report on and propose the development of data, in order to monitor over time developments in the living conditions of disabled persons including boys and girls. Handisam has also been commissioned to develop, in consultation with the Association of Local Authorities and Regions (SALAR), a proposal for a voluntary monitoring system for municipalities and county councils based on the disability policy objectives. It is to report on this mandate not later than 1 October 2012.

43. Co-ordination between the authorities in the judicial chain is being developed as a result of the introduction of an electronic flow of information between authorities which, among other things, will mean that common definitions and systems will be used.

44. In other respects please refer to annex 1.

Follow-up

45. *The Committee considered that Sweden ought to strengthen its measures to ensure equal access and availability of services for all children, irrespective of where they live, and to monitor and follow up on decisions taken at the municipal and county council levels so as to address the remaining differences (cf the Committee's concluding observations, 2009 paragraphs 12 and 19-20).*

Enhanced supervision and follow-up

46. In the survey of the compliance of Swedish legislation and practice in relation to the rights ensarined in the CRC (see paragraph 23-25) examples are cited where the regulatory authorities pointed to weaknesses in the application of the legislation. It was stated, however, that generally this is not due to systemic deficiencies but rather to the application in individual cases.

47. As regards the application of relevant legislation, it is necessary to have well-run supervision, and the authorities that exercise supervision in fields that relate to children contribute towards a systematic monitoring of their rights and interests. These actors are central to implementing the rights of the child, and the government has therefore established a more coherent and enhanced supervision with the draft bill Co-ordinated and transparent supervision of social services (Draft bill 2008/09:160).

48. The establishment in 2008 of a new independent authority for national inspection of schools, the Swedish Schools Inspectorate, has strengthened state control of the fulfilment by municipalities and independent providers of their obligations with regard to the Education Act. The Schools Inspectorate undertakes its assignment through such measures as regular inspection of municipal and independent schools as well as thematic quality audits, while its broader mandate was supplemented through an increase in its financial resources.

49. Furthermore, the government have in the instructions to the Ombudsman for Children (Swedish Code of Statutes SFS 2007:1021) clarified the responsibilities of the

latter for monitoring and evaluating the relevant operations of public authorities, municipalities and county councils. The monitoring system developed by the Ombudsman to some extent allows comparisons to be made also at the local level and aims to promote efforts pertaining to child rights (please refer to paragraph 40). Open comparisons

50. One of the tools for the government and county council for analysing disparities and promoting quality and efficiency developments in health care and medical services is open comparisons. Such comparisons of various indicators provide transparency and contribute towards learning, monitoring and improvement within the aforementioned services. The use by the county councils of open comparisons has resulted in a variety of activities and strategies to reduce unwarranted regional variations in treatment practices and patient outcomes. The comparisons are produced annually by the National Board of Health and Welfare and the Association of Local Authorities and Regions (SALAR), and several of these relate to children and young people.

51. Since 2009, the National Board of Health and Welfare has been mandated to develop open comparisons of the social care of children and young people as an important aspect of efforts to raise efficiency and quality. There is also a continuous effort to refine these indicators (see paragraph 220).

Other measures for equivalent quality

52. A national survey of the mental health of children and young people was undertaken in 2009, in which 172,000 students in grade 6 and 9 participated. In addition to the survey having provided a nationwide picture of the mental ill-health of children and young people, the schools and municipalities used it as a tool in their monitoring and quality assurance efforts.

53. The government has launched a gender equality initiative within health care and intends to develop an overall strategy for the area. Care shall be given according to need, and it should be equitable with respect to both men and women, and foreign-born and native-born persons, regardless of age, place of residence, education and economic conditions. The care offered should to the greatest possible extent be designed on the basis of individual patient needs and wishes. Account should be taken of the fact that children's circumstances and requirements may differ from those of adults, and that girls and boys may have somewhat different needs.

54. Furthermore, in recent years, a number of measures have been taken to improve the accessibility of the Swedish health care and medical services, such as the national care guarantee and the programme for shortening health care waiting time (Queue billion). During the period 2007-2012, the government has also allocated SEK 214 million annually to the county councils to support the efforts of health authorities to improve access to correct measures for children and young people with mental health problems. The objective is to increase the availability of specialist psychiatric services (BUP) for children and young people.

55. The National Patient Survey is an annual survey of patient-perceived quality, and the results will be used to develop and improve care from a patient perspective. In the spring of 2011 a survey of child health care was undertaken that included outpatients, inpatients and A & E patients.

56. The Swedish school system is from an international point of view characterised by high equivalence in areas such as outcome differences between schools and the influence of socio-economic background on student outcomes. However, there are tendencies towards increased divergence, although the spread in results between different parts of the country is small. The potential for all students to achieve the objectives will be improved through

earlier support and follow-up and clearer curricula and course syllabi programs. In 2011 a large part of new steering documents relating to Swedish schools came into force: a new Education Act, and new curricula and course syllabi for compulsory school and equivalent school types. In the new curriculum, goals and course syllabi have been clarified by including a goal, core content and skills requirements for the different grade levels, which improves the opportunities for equal education throughout the country.

57. The Swedish upper secondary schools have also been reformed, and the new rules came into force in the autumn term of 2011. The reform aims to create schools better matched to pupils' different circumstances and future plans. A clearer structure will make it easier for them to choose the right training and also contribute to greater equivalence. In order to contribute to the students feeling assured that there will be a demand for the skills and knowledge gained from their course, the courses at the new upper secondary schools will be quality assured on a national basis.

58. National tests have been introduced in more subjects and school years, and the results obtained can provide valuable information about students at risk of not achieving the objectives and thus qualifying for special support, which, if given early enough, can help to reduce disparities in student potential. The Swedish National Agency for Education has also been commissioned to examine how municipalities allocate resources to schools. Among the surveyed municipalities, the percentage that takes socio-economic factors into account in its allocation of resources has risen since 2007.

59. Since 2011 a new model for the allocation of state resources for regional cultural activities is being gradually introduced. The aim is to provide greater scope for regional priorities, thus providing better conditions for the achievement of national cultural policy objectives that focus specially on children and young people. The regions, in collaboration with the municipalities, will draw up cultural plans that describe the cultural activities planned, which means that the model provides new opportunities for a dialogue on cultural efforts directed towards children and young people.

Children's awareness of their rights

60. *The Committee encouraged stronger measures to ensure that all children are aware of the Convention and its two Optional Protocols and are able to use these documents as instruments to defend their rights (cf the Committee's concluding observations, 2009 paragraphs 21-22).*

61. According to the government strategy, children should receive information about their rights and what these mean in practice. In 2009, the Ombudsman for Children conducted a survey among 750 children in grade 5 and 8 which showed that among 11- and 14-year-olds only just over one in five children had heard of the CRC. The Ombudsman repeated this survey in 2010, and among pupils in school year 5 awareness of the CRC rose from 24 per cent to 34 per cent. However, such awareness among students in school year 8 remained unchanged. Even if the survey shows a certain increased awareness, this result cannot be considered satisfactory. The government has therefore initiated a series of measures aimed at increasing the awareness of their rights among children and young people.

Children's rights in the Education Act and curricula

62. The Education Act (2010:800) states clearly that education should be structured in conformity with fundamental democratic values and human rights, and every single individual working in education shall promote human rights. The Education Act also states

that the basis of all education and other activities shall be the best interests of the child. The curriculum for the compulsory school system (Lgr 11) also states explicitly that pupils be taught about their rights under the CRC in the context of social studies.

63. At upper secondary schools there are a number of subjects that are common to all, i.e., included in all national programs. One of these is social studies, and according to its subject plans, instruction in this subject should enable students to develop a knowledge of issues relating to power, democracy, equality and human rights, including the rights of children and young people under the CRC.

64. The preschool curriculum (Lpfö 98, revised 2010) states that an important task of the preschool is to convey and inculcate respect for human rights. Everyone working in the preschool sector must promote respect for each person's intrinsic value. Information material for children

65. The Ombudsman for Children has a statutory duty to make public the rights of the child and has on behalf of the government developed information material on child rights entitled *I want to say something* which is aimed at children and young people in three different age groups, with a guide, for use in school teaching or other similar contexts (please also refer to Sweden's third Report 2002, page 14, and also Sweden's fourth report, 2007 page 11, paragraph 33). In addition, on behalf of the government the Ombudsman for Children developed in 2011 a child-friendly version of the CRC, and this and the CRC in its entirety are available in translation in the national minority languages, and are also accessible to children with various disabilities.

66. On the occasion of the twentieth anniversary of the CRC in 2009, a child rights network launched by HM The Queen and with financial support from the government, has taken measures to disseminate knowledge of the rights of the child to children, parents and school staff. Co-operation between the Plan Sweden, the World Childhood Foundation, SOS Children's Villages, Save the Children, BRIS, UNICEF, ECPAT Sweden and the Ombudsman for Children resulted in a number of regional conferences, as well as written and web-based information about the CRC, which has been adapted for the different target groups.

67. Under the government's agreement with the Association of Local Authorities and Regions 2010-2013, efforts will be made to raise children's awareness of their rights (see paragraph 74).

68. The Living History Forum, a public authority, produces teacher and student materials, holds further training courses for teachers and arranges exhibitions to promote efforts in the field of democracy, tolerance and human rights, particularly among young people. In 2011, on behalf of the government, it launched Mission: Democracy, web-based material for school year 9 and for upper secondary school, where democracy, tolerance and human rights are critically examined through historical events. In 2012, the Authority is disseminating this material throughout the country through an extensive information campaign and further training courses for teachers.

Knowledge of child rights among decision-makers and professional groups

69. *The Committee recommended that Sweden ensure systematic and ongoing training programmes on human rights including children's rights for all persons working for and with children (cf the committee's closing observations 2009 paragraphs 21-22).*

70. In its strategy for strengthening the rights of the child, the government has stressed that a key principle of the CRC, the best interests of the child, should be accorded particular

attention in all measures concerning children. Consideration should be given to all accrued rights that the child possesses under the Convention and to the needs and interests of the individual child. According to the government strategy, decision-makers and relevant professional groups must have a knowledge of the rights of the child, which they must be able to incorporate into their activities.

71. The Ombudsman for Children has a central role in implementing child rights through its mandate under the Act (1993:335) on the Ombudsman for Children to monitor and promote such implementation. The Ombudsman carries out investigations and maintains a dialogue with relevant actors in order to advance this work. During the period 2008-2011, the Ombudsman focused in particular on vulnerable children within social services for children and on child victims of violence and other abuses. The Ombudsman for Children has both pointed to weaknesses in the application and proposed amendments to legislation. These investigations and dialogues have resulted, among other things, in recommendations and support measures for the operations involved.

72. According to the Ombudsman for Children, the child perspective of the CRC has not been applied in all activities, for which reason measures are needed to disseminate knowledge of the significance of the Convention. Moreover, there is also a need to clarify responsibility for ensuring children's rights in the public sector. The Ombudsman for Children has also specifically pointed to the need for knowledge of methods for maintaining a dialogue with children and young people. Thanks to the Ombudsman's reports on efforts relating to the CRC on the part of municipalities, county councils and public authorities, the government has been able to note that progress is being made, but its evaluation is that there are still challenges, not least when it comes to implementing these rights in practical operations. Expertise enhancement in municipalities and county councils

73. It is in the municipalities and the county councils that the majority of operations relating to children take place, and it is also there that decisions are made that have a direct impact on children's everyday lives and their lifestyle. Decision-makers and various professional groups must understand children's living conditions and how child rights are to be incorporated into decisions and actions relating to children and follow up these decisions and actions from a child rights perspective, which the government's strategy to strengthen child rights emphasises. Employers at the state and municipal levels are responsible for the professional groups involved being offered a continuous and appropriate expertise enhancement. Efforts to increase an awareness of child rights among decision-makers and different professional groups have been made since the Convention was ratified (please refer to Sweden's third report pages 12-13, and also Sweden's fourth report 2007 pages 11-13 paragraphs 32, 34-44).

74. In order to intensify and develop the work on children's rights on the basis of the CRC in operations by municipalities and county councils, the government and the Association of Local Authorities and Regions (SALAR) concluded an agreement in 2010 to strengthen the rights of the child. The agreement will promote a holistic approach to working with the rights of the child and will aim to raise awareness of how the rights of the child can be incorporated into operations by county councils and municipalities. The agreement covers the period 2010-2013, and its underlying premise is that these efforts be of a long-term nature. Efforts are undertaken in consultation with the Ombudsman. A survey to gain insight into the needs and the demand for continued training and other support measures has been undertaken, on the basis of which an action plan has been devised as to how the rights of the child can be strengthened in municipalities and county council operations. This agreement includes, among other things, a training initiative for key figures within the municipalities and county councils with the objective of achieving a long-term sustainable structure for the development and dissemination of knowledge at national and regional levels. In order to highlight and disseminate knowledge about the

rights of the child as well as the national strategy to strengthen such rights, regional conferences will also be held in 2012 and 2013. The government has allocated SEK 8 million for measures within the framework of this agreement to be undertaken. The Minister for Children and the Elderly is also undertaking what are termed child tours around the country to discuss the situation facing children and their rights with the municipalities.

75. To further advance the implementation of rights of the child in municipalities, county councils and public authorities, the government commissioned the Ombudsman for Children in July 2012 to take measures to disseminate and communicate the government strategy for strengthening the rights of the child. These efforts include conferences, enhanced audits and dialogues and a variety of support methods, and they aim to make the municipalities, county councils and public authorities aware of, and understand how, the nine principles of this strategy (see paragraph 17) can be used as a tool to ensure the rights of the child within their own operations.

76. The Education Act (2010:800) has established in law that the schools are to convey and inculcate human rights as well as to design their educational courses in accordance with these. Under the Education Act, the school provider (public and private providers) is to ensure that staff at the preschool and school units are given opportunities for expertise enhancement. The provider shall ensure that the preschool teachers, teachers and other staff at the preschool and school units have the necessary understanding of the regulations that govern the school system. The Swedish National Agency for Education has the government mandate to promote, strengthen and disseminate the schools' value base, and it has developed a value base portal with information about current research and other support materials about issues of democracy, gender equality and value bases. In 2011, the government gave the Agency a renewed mandate to enhance efforts relating to the schools' value base and its measures to counteract discrimination and degrading treatment. This assignment includes such matters as providing continued training for preschool and school personnel. A total of SEK 40 million has been allocated to cover the period 2011-2014.

Expertise enhancement in public authorities

77. The Ombudsman for Children, together with the Swedish National Board for Youth Affairs and the Consumer Agency, has initiated a public authority government network for child and youth issues that includes some twenty authorities. The government views this as an important measure for the continued development of child rights efforts within public authorities. In 2011, the Ombudsman for Children held, on behalf of the government, a conference entitled A boost for the rights of the child, which was aimed at public authorities. The initiative mentioned above also includes public authorities (see paragraph 75).

78. During the period 2006-2009 the Delegation for Human Rights in Sweden worked to support public authorities, municipalities and county councils in their work for human rights, including, among other things, training and expertise enhancement in these issues. The Delegation, which has now concluded its mission, presented in its final report a proposal that a strategy be developed to offer public employees such training in a long-term and systematic manner. This proposal is being prepared in conjunction with work on the government's third strategy for human rights, which is scheduled for completion in autumn 2012.

The Police

79. According to the Regulation on Preliminary Investigations, children are to be interviewed by a person with special expertise for this task. This provision applies regardless of whether the child is the injured party, a witness or suspected of a crime. For this reason, the majority of police investigations involving children are handled by specialist investigators, for whom, at national level, a curriculum exists that has been drafted on the principle of the best interests of the child, among other things. It includes fifteen weeks of training, including investigative methods and interview techniques, and in order to maintain this knowledge and specialisation, further training is given every three years.

Judges

80. Permanent judges and persons undergoing training to become judges are offered ongoing training on child development and children's needs and rights. Both these groups are offered, e.g. centrally held training in human rights and the European Convention, service and dealing with the public as well as public access and confidentiality. They are also offered various training courses that specifically focus on children and their rights. Persons undergoing training to become judges at the general courts are also offered courses in subjects such as victimology, Islamic family law, and commercial exploitation of children, while persons training to become judges at an administrative court are offered courses on, e.g., child psychiatrists' views on risk factors for children. All those training to become judges may at the end of that training also undertake a study visit to, inter alia, the European Court in Strasbourg. Permanent judges and persons training to become judges are also offered other centrally, regionally or locally organised training courses both within Sweden and overseas.

81. The National Courts Administration has in recent years conducted specialisation projects in the field of the rights of the child. An important aim of these projects has been to ensure the presence of special expertise in the courts. Persons who have participated in the projects, including judges, also comprise an important knowledge base for colleagues and other employees at the courts.

Lawyers

82. Lawyers are offered ongoing training courses relating to children and their rights. Some of these are arranged by the Swedish Bar Association. As examples of courses, those on the role of counsel and as a special representative for children as well as seminars on such topics as the commercial exploitation of children could be mentioned. A seminar on this very subject was held in the spring of 2012 and aimed to illuminate such exploitation from a national and an international perspective. The seminar dealt with such matters as the trafficking of children for sexual purposes, child sex tourism, risk factors and children's reactions, as well as the legal frameworks in the field in question. Lawyers also are offered other centrally, regionally or locally organised training courses within Sweden or overseas.

Public prosecutors

83. The basic training course for prosecutors provided by the Swedish Prosecution Authority, which is mandatory for all new prosecutors, contains a section of twelve lessons on human rights (please refer to paragraphs 160-162).

The Swedish Prison and Probation Service

84. Information about current legislation and international commitments by Sweden in areas such as discrimination, human rights and the CRC are included in both the Prison and Probation Service basic training for staff and in its range of further education courses. Since 2005, a child representative is present at every non-institutional care unit, remand centre and prison in the country. The objective is to strengthen and clarify the child's perspective within the Prison and Probation Service. Child representatives should, among other tasks, disseminate an awareness of the CRC and work to ensure that the Service takes into account the child's perspective in its operations. The training of child representatives is undertaken in collaboration with the Children's Ombudsman.

The Migration Board

85. In order to ensure that the Migration Board staff have a knowledge of human rights, including the principle of the best interests of the child, the letter of appropriation for the Migration Board states that it shall report how it operates utilising long-term competence maintenance as well as retaining and refining its skills relating to ethical issues and human rights. This report should also include an analysis of the skills needs of Migration Board staff, including cases where children are concerned. In addition to the country-specific information on human rights which the Board compiles, and which is available to all its staff, the Board has two training courses that focus on human rights. One is aimed at all new employees, while the other is a more detailed course for employees involved with the asylum process. In addition, a training course in the rights of the child and child impact assessments has been developed and is included in the overall training.

86. During 2011, a working group at the Migration Board prepared a proposal relating to expertise enhancement with respect to children's issues. On the basis of this proposal, the Board will hold a pilot training course in spring 2012. The training model is part of a long-term expertise enhancement initiative for further development of child-related skills at the Migration Board. The objective is that all employees shall possess such relevant skills as have been formulated in the Board's child policy, which has been developed jointly with the Ombudsman for Children and which aims to establish how the Board should ensure that child rights and the child's perspective permeate all matters concerning children.

Child rights in professional qualification descriptors

87. It is important that the relevant professional qualification descriptors for professional qualifications that prepare those who work with, or for, children include knowledge of fundamental democratic values and human rights. Since 2007, descriptors for a number of qualifications (occupational therapist, audiologist, biomedical analyst, dietician, folk high school teacher, optometrists, orthopedic technician, dispensing chemist, radiology nurse, physiotherapist, nurse, social worker, study and career guidance counselor, dental hygienist, pharmacist, midwife, economist, law graduate, speech therapist, physician, psychologist, psychotherapist, hospital physicist, specialist nurse, special educator, dentist, teacher) (Higher Education Ordinance 1993:100, annex 2) state that in order to be awarded the qualification the student must show a certain judgement and a certain approach taking particular account of human rights.

88. In accordance with the Higher Education Ordinance (1993:100, annex 2), core education subjects in teacher training shall be linked to future professional practice and, among other things, must include the school's core values, including the fundamental democratic values and human rights, social relationships, conflict management and

leadership. According to the Higher Education Ordinance (1993:100) the student shall thus for a qualification in early years, primary and secondary education demonstrate the capacity to communicate and instil core educational values, including human rights and the fundamental democratic values. The student shall also demonstrate the capacity to make assessments in educational processes on the basis of relevant scientific, social and ethical aspects with particular respect for human rights, especially child rights according to the Convention on the Rights of the Child.

International development

89. The Committee recommended continued activities in the area of international co-operation, including by conducting child impact assessments and, in its bilateral co-operation with other States Parties, to pay particular attention to the Convention, its Optional Protocols and the concluding observations and recommendations made by the Committee in respect of those countries (cf. the Committee's concluding observations 2009 paragraphs 23-24).

90. In conjunction with the introduction of the new operations management rule, SIDA has stated in the accompanying manual that a child impact assessment should be made in the evaluation document for an operation. In a management response to the child rights evaluation, conducted jointly by Sweden and Norway, SIDA refers to a number of development projects that have taken place recently and that contribute to strengthening the authority's child rights efforts.

91. In 2010 the Swedish government adopted a new policy on democracy and human rights in development co-operation where child rights are part of the definition of the rights perspective. In SIDA's Strategic Direction 2009-2011, the rights of the child were defined as one of the focus areas within the sector for democracy, human rights and gender equality, with child protection identified as a high-profile issue.

92. In 2010, a survey was conducted at SIDA of interventions for children's right to protection in order to obtain a better overview of general goal formulations, target groups, principal SIDA partners etc. The aim was to initiate and form a better basis for the bilateral dialogue on children's right to protection within SIDA and at Swedish missions abroad.

93. SIDA has recently published three new dialogue papers, as part of a dialogue package, on the rights of the child, children's right to protection and young people's political participation. A fourth dialogue paper, on budgeting for children's rights, will be published later this year.

94. Children's right to protection is a Swedish priority in the global dialogue with the UNICEF.

95. In 2011 the government launched a new initiative for children and young people, focusing on children's rights to health and education, as well as opportunities for meaningful youth employment with a separate budget of SEK 500 million for 2011. This initiative will continue in 2012.

96. Furthermore, in response to the recommendations of the evaluation, SIDA will strengthen its operations through a number of measures. The SIDA management is responsible for ensuring that rights of the child is integrated and implemented in accordance with guidelines and strategies.

97. SIDA's management will consider the need to develop a special action plan for its work in support of human rights for children and young people. SIDA needs to appoint staff with the ability to implement and support the integration of a child rights perspective into Swedish development co-operation in order to ensure adequate attention being devoted

to the rights of the child in its operations and field dialogue, as well as regulatory compliance and an ability to take charge of and develop initiatives and its mandate from the Swedish government. Methods will be developed to ensure integration and measure the outcome of the work with the rights of the child in SIDA's operations, including the establishment of a child impact analysis function.

Follow-up and dissemination

98. *The Committee recommends that Sweden take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the Parliament, relevant ministries and local government and the judiciary, as well as to Child Protection Committees and Sub-Committees at governorate and district levels, respectively for appropriate consideration and further action (cf the Committee's concluding observations 2009 paragraph 74 and the Committee's concluding observations 2011 paragraph 41).*

99. The Committee's recommendations are disseminated within the Government Offices to the relevant ministries and are continuously monitored within the framework of the child rights policy. They also form the basis for measures and actions under the government's child rights policy. There is however room for improvement, and at the Government Offices, efforts are in progress to clarify the follow-up and widen the dissemination of recommendations from various convention committees.

100. As part of the follow-up of recommendations, the government has entered into thematic dialogues with civil society, the SALAR, the Ombudsman for Children and other relevant authorities (see paragraph 38).

101. *The Committee further recommends that the fourth periodic report and written replies submitted by Sweden and related recommendations (concluding observations) it adopted be made widely available (cf the Committee's concluding observations 2009 paragraph 75 and the Committee's concluding observations 2011 paragraph 44).*

102. The government has a special website for human rights where, among other documents, Sweden's fourth report and the Committee recommendations are available (see paragraph 7).

Ratification of international human rights instruments

103. *The Committee encouraged Sweden to consider ratifying the international human rights instruments to which it is not yet party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the International Convention for the Protection of all Persons from Enforced Disappearance and the Optional Protocol to the International Convention on Economic, Social and Cultural Rights (cf the Committee's concluding observations 2009 paragraph 73.*

104. On 10 December 2008, the UN General Assembly unanimously adopted an additional protocol to the International Convention on Economic, Social and Cultural Rights (ESC) Convention relating to individual complaints. Sweden joined the consensus on the adoption, but it also gave an explanation of vote in which Sweden's attitude to the Additional Protocol was briefly touched on. Among other things it was emphasised that Sweden is not convinced that an individual complaints mechanism is the best way to promote the economic, social and cultural rights (ESC rights), not least since their character often makes it very difficult to state precisely when a violation shall be deemed to have been committed. The present Additional Protocol also raises other complicated issues, not

least with regard to the passages of a voluntary fund for technical assistance relating to the protocol. The Swedish side has repeatedly emphasised that it is important that fundamental issues of accountability such as the obligations of states towards the individual, are not undermined in the formulation or implementation of the Additional Protocol. For the above reasons, and in light of the considerable uncertainty that exists about how a future additional protocol may be applied, the government will for the present time neither sign nor ratify the protocol.

105. Sweden has signed the Convention for the Protection of All Persons from Enforced Disappearance and is considering its ratification, but the government believes that the Swedish legislation largely meets the requirements of the Convention.

106. The government does not intend at present to ratify the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. The protection stipulated in the Convention is already afforded in essence by the other key UN human rights conventions and the ILO Conventions. Sweden continues to work to guarantee human rights and to implement the core human rights conventions which it has ratified.

II. Definition of the child (article 1)

107. According to Statistics Sweden, in 2011 just over 20 per cent of the population, approximately 1.9 million individuals, were under eighteen years of age. Of these, there were about 933,000 girls and about 986,000 boys, while the number of children of different ages varied considerably. There were, for example, more than 120,000 seventeen-year-olds as compared with 96,000 twelve-year-olds. Of the total number of children, 6 per cent were born abroad, and 12 per cent were born in Sweden to parents who were both born abroad, while 11per cent of all children had one parent born abroad and one born in Sweden. Overall, 29 per cent of all children had a link to a country other than Sweden.

108. Pursuant to Chapter 2 § 1 of the Marriage Code, a person who is below eighteen years of age may not marry without permission from the County Administrative Board, and such permission may be granted only if there are special reasons. Despite this, there are cases in Sweden of young people being anxious that they themselves will not be permitted to choose their own marriage partner. A special investigator has been assigned by the government to conduct a review of matters including the relevant legislation in order to strengthen protection against forced marriages and child marriages. The final report from this review entitled *Strengthening protection against forced marriages and child marriages* (SOU 2012:35) proposes removal of the dispensation to marry before eighteen years of age and the criminalisation of child marriage. Its proposals are currently being studied at the government Offices.

109. In other respects, reference is made to Sweden's earlier periodic reporting and in particular to its third report, paragraphs 132-142 as well as annex 1, paragraphs 9-11.

III. General principles (articles 2, 3, 6 and 12)

Non-discrimination

110. *The Committee recommended Sweden to monitor and ensure full compliance with article 2 of the Convention and to ensure the implementation of existing laws guaranteeing the principle of non-discrimination with respect to all children within its jurisdiction (cf the Committee's concluding observations, 2009 paragraphs 25-26).*

111. On 1 January 2009, the Discrimination Act (2008:567) came into force. The law is intended to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief system, disability, sexual orientation or age. The discrimination basis of age refers to all ages and thus includes children and young people. At the same time as the new law came into force, a new authority, the Discrimination Ombudsman, who will oversee compliance with the Act (see also Sweden's written reply 2009, Part II, paragraph 1) was established. The government has approved a bill (2011/12:159) for enhanced protection against age discrimination, and this proposal means that the protection against discrimination on grounds of age will cover more areas of society than is the case today.

112. The Education Act (2010:800) clarifies the importance of human rights as a central aspect of the democratic mandate of the schools, and it states that every person working in education shall promote human rights and actively combat all forms of degrading treatment. Furthermore it states that education shall be designed in accordance with fundamental democratic values and human rights such as the sanctity of human life, individual freedom and integrity, the equal value of all human beings, gender equality and solidarity between people.

113. The Child and School Student Representative (BEO), who has an independent function within The Swedish Schools Inspectorate, ensures compliance with the provisions on degrading treatment. He, or she, also investigates details of such treatment and may also represent individual children and students in court. A further role is that of dispensing information on legislation and providing advice and information about efforts to combat degrading treatment (please also refer to Sweden's fourth report, 2007 paragraph 61).

114. All children, whatever their cultural or ethnic background, must have access to their rights. Sweden is therefore launching an initiative to enable children and young people to know about their rights, be aware of them and know where to turn for help. This is done through such measures as a mandate to the County Administrative Board of Östergötland County to disseminate and implement the support method "It's about love - a project about the rights of children and young people" and the "Your Rights" website. "It's about love" is based on the CRC and aims to prevent children from being subjected to violence, abuse and degrading treatment. This initiative was taken within the framework of the government campaign to forestall and prevent young people from being married off against their will. Thanks to the project the pupils can obtain information about their rights, discuss an exhibition, watch a theatre play and hold evaluation exercises in order to counteract restrictions on children's freedom, or being subjected to violence, degrading treatment or pressure to act against their own will.

115. The Swedish National Board for Youth Affairs was in late 2008 mandated to undertake a detailed study of the health situation of homo and bisexual young people and also young transgender individuals. The report shows that many LGBT young people experience being ignored, discrimination, bullying, intimidation and violence. The Board has therefore been further commissioned to provide training courses for staff working in leisure activities for young people in order to strengthen their expertise in creating open and unprejudiced environments for LGBT youngsters. These training initiatives will take place during the period 2011-2013.

116. The overarching mission of the Living History Forum is to promote efforts in the field of democracy, tolerance and human rights with reference to the Holocaust. The starting point for its work is that we can learn from history in order to combat and prevent intolerance. Within its field it produces teacher and student materials, holds further training courses for teachers and also arranges conferences and exhibitions. Its main target group is school children and teachers in school year 9 and at upper secondary school. In 2010 it presented its report *The Many Faces of Intolerance* (Report Series 1:2010), which

examined the attitudes of upper secondary school students towards Roma, Muslims, Jews, non- European refugees and homosexuals. According to the report, around 20% percent of the country's school children have intolerant attitudes towards vulnerable groups. In 2011, the Living History Forum on behalf of the government developed a package of methods called Mission: Democracy (see paragraph 68).

117. In May 2011 the government appointed a special investigator to suggest how xenophobia and related intolerance might be more effectively combated. Among other actions, the investigator will compile the knowledge that is available and which can be used in the schools, regarding xenophobia and similar forms of intolerance and of how such phenomena can be addressed. A report on this mission is to be submitted no later than 26 October 2012, while the government has also allocated funds to a three-year initiative during the period 2012-2014 for awareness-raising measures among children and young people regarding xenophobia and related forms of intolerance.

Best interests of the child

118. *The Committee recommended that measures be strengthened to raise awareness about the meaning and practical application of the principle of the best interests of the child and also to ensure that article 3 of the Convention is duly reflected in its legislation and administrative measures. It also recommends that appropriate and effective measures be taken to ensure that the principle of the best interests of the child form the basis of and guide the process regarding all decisions, especially in asylum cases involving children (cf the Committee's concluding observations, 2009 paragraphs 27-28).*

119. According to the government's strategy all legislation concerning children shall be drawn up in accordance with the CRC. The best interests of the child have been incorporated in a number of legal measures, but the Ombudsman for Children has stated that, although the best interests of the child has been inserted into a number of portal paragraphs in Swedish legislation, this has not proved sufficient to ensure that the principle has an impact in practice. Furthermore, this official highlights the fact that the children who are in need of care, for reasons including negligence and/or domestic violence run the risk of being expelled or deported together with their parents/legal guardians (please refer to annex 2 pages 3-4). The government has strengthened the principle of the best interests of the child in different fields, which are described below.

The best interests of the child at school

120. The Education Act (2010:800) states that in education and other activities the best interests of the child shall be a prime concern, and that the viewpoint of the child shall be elucidated as far as this is possible. The best interests of the child as a point of departure in all education implies that education must be designed to give the child the best possible conditions for his or her personal development. It also means that the other rights that are relevant in this context, such as every child's right to influence and participation, the child's right to respect for its personal integrity and that the child should not be discriminated against, shall be taken into account in its education. The provisions relating to the best interests of the child comprise one of the portal paragraphs of the Education Act and shall apply in relation to other provisions of this Act.

The best interests of the child in custody cases

121. In assessing the best interests of the child in a custody case, particular attention shall be paid to the risk of the child or another family member of being subjected to abuse or other ill-treatment and also to the child's need for a close and positive contact with both parents. Since 1 August 2010, there is a statutorily regulated option for the court to decide

that a person appointed by the social welfare committee shall participate in the interaction between a child and a parent. This is known as visitation support and can be decided on in order for the child to avoid conflict-filled confrontations between the parents. Since 1 May 2012, the rule is that if one of the custodians does not agree to a measure of support for the child, the social welfare committee can decide that this measure must still be taken if required in the interests of the child. There is the option of psychiatric and psychological evaluation and treatment, as well as for some non-institutional measures in the Social Services Act and for certain actions under the Act (1993:387) respecting subsidies and services to certain disabled persons (LSS). In other respects, please also refer to Sweden's third report, 2002, pages 46-47.

The best interests of the child in social services

122. The provisions relating to the best interests of the child are one of the portal paragraphs of the Social Services Act (2001:453). When measures concern children, particular attention must be given to what this consideration of the best interests of the child requires. This provision shall apply in relation to other provisions of the Act. Since 1 January 2011, the Act (1993:387) regarding subsidies and services to certain disabled persons (LSS) contains a provision that when the measures concern children, the best interests of the child shall receive special consideration. In decisions on compulsory treatment under the Care of Young Persons Special Provisions Act (1990:52) (LVU), by contrast the best interests of the young person shall always be decisive.

123. The Social Services Act (2001:453) states, inter alia, that the social welfare committee must operate in order that children and young people grow up in secure conditions and also in close co-operation with the parental home must ensure that children and young people at risk of harm are given the protection and support that they need. In the first instance, measures by the social services shall be taken in agreement with the young person and with his or her legal guardian. These actions shall be characterised by respect for the young person's human dignity and integrity. Only when the necessary care cannot be arranged on a voluntary basis shall coercive measures be applied, while such measures shall also be decided in accordance with the best interests of the child.

124. In 2009 the Child Protection Study (SOU 2009:68) made a series of proposals to strengthen the support and protection for children and young people. The government has decided to submit a proposal containing amendments to the Social Services Act and to the Care of Young Persons Special Provisions Act (1990:52) (LVU) to the Council on Legislation. The government proposes, inter alia, that the rules governing the best interests of the child be strengthened, and it is proposed that this always will be decisive with regard to measures relating to care or treatment under the Social Services Act.

125. The CRC and the best interests of the child and his or her right to participation are a point of departure in the training material developed by the National Board of Health and Social Welfare, dealing with support and protection for children and young persons receiving payment for sex, children who are victims of trafficking, as well as children living with parents who are selling sexual services. This material is aimed at operations involving children and young people and at staff in social services, health care, youth services, etc. The best interests of the child in the judicial chain

126. On behalf of the government, the Swedish National Police Board, in co-operation with the Swedish Prosecution Agency, the National Board of Forensic Medicine and the National Board of Health and Social Welfare, have drawn up national guidelines on inter-agency co-operation on crime-risk children. The guidelines are intended to ensure efficient and legally secure co-operation in investigations relating to children in a manner that has the best interests of the child in mind. The best interests of the child in the prison and probation service

127. In accordance with Article 37 c of the CRC and what has hitherto applied under § 8 first paragraph, first sentence of the Prison Treatment Act, it follows from the new Act on Imprisonment (2010:610) that a prisoner under eighteen years of age must not be placed with prisoners over eighteen years, unless this can be considered to be in his or her best interests. In the preambles to the new Act on Imprisonment (2010:610) and the Act on Detention (2010:611) which came into force in 2011, it is emphasised that a key objective of government policy for children and young people is that a child's perspective, based on the spirit and intent of the CRC, shall permeate all measures concerning children. This means that particular requirements must be met by the Prison and Probation Service, including placement and enforcement content, for young people who are serving a term of imprisonment. To prevent recidivism among young offenders, it is essential that he or she is not housed together with prisoners who have a negative impact on his or her ability to live a life free from crime and that the Probation Service is taking actions designed to actively discourage the young person from developing or consolidating a criminal identity.

128. The Prison and Probation Service shall also pay special attention to a child's needs and rights in his or her capacity of close relative of a prisoner. This may refer to both the need of a child to maintain contact with a parent who is in custody as well as the need to intervene in order to protect a child. According to the Social Services Act (SoL 14:1) correctional staff are required to provide the social services with information that may be relevant to the investigation of a child's need for protection.

The best interests of the child in asylum cases

129. The Aliens Act (2005:716) states that in cases involving a child, particular attention should be paid to consideration of what the health and development and his or her best interests otherwise require (Chapter 1 Section 10). According to Ordinance (2007:996) containing instructions for the Migration Board, prior to decisions or other actions that may involve children, the Board shall analyse the consequences for these children. The letter of appropriation for the Migration Board states that it shall report how it ensures that children's own reasons for asylum are examined, assessed and reported in the decisions. The Migration Board examines each and every case individually and actively works to ensure that the best interests of the child are considered in all parts of the process. The Board has devised steering documents, procedures and templates to support the undertaking of child impact assessments. Consequently, greater consistency has been achieved in the handling of cases involving children, such as in the reception of asylum-seeking children and prior to a decision in asylum cases. The Board has also arranged special training courses in order to enhance its knowledge of how to conduct child impact assessments.

The right to life and development

130. *The Committee encouraged Sweden to strengthen the health care resources for people in suicidal crisis and to take measures to prevent suicide among groups that are at risk (cf the Committee's concluding observations, 2009 paragraphs 50-51).*

131. The government supports a project that aims to develop and coordinate efforts to reduce the number of young people who self-harm. The goal is to prevent self-harming behaviours, and provide better early treatment by creating a structure that better meets their care needs. The overall objective is to reduce the number of self-harming young people, while a partial objective is to lower both the number of young people receiving in-patient care and the incidence of involuntary commitment orders among young women.

132. The National Centre for Suicide Research and Prevention of Mental Ill-Health (NASP) at the Karolinska Institute has been commissioned by the government to test within Sweden the Australian suicide prevention program, the Mental Health First Aid Training

and Research Program (MHFA), which is aimed at the public, the voluntary sector and individuals who in the exercise of their profession come into contact with people who suffer mental ill-health and/or are suicidal. A pilot study that is being conducted in two Swedish counties is ending in 2012 and will be evaluated by the National Board of Health and Welfare. The MHFA is also available in a special young people's version, and in June 2012, the NASP was commissioned to also test this version in Sweden by means of a new pilot study, which will continue up to and including 2014.

133. A government committee of enquiry has been requested to clarify and analyse the potential of the health care and social services sector to develop and improve event analyses of past suicides. It has also been tasked with reviewing how the knowledge gleaned from these analyses will be transferred to operations and actors at regional and local level. The committee's proposals are currently with the Government Offices.

134. The Cause of Death Register at the National Board of Health and Welfare includes all deceased persons who at the time of their death were registered in Sweden the year when they died, whether this death occurred within or outside the country. The Register contains data from 1961 and is updated annually. Please also refer to annex 1, paragraphs 12- 14.

Respect for the views of the child

135. *The Committee recommends that Sweden continue to promote and facilitate, including through legislation, respect for the views of children and their participation in all matters affecting them, ensure that adults who work with children are trained to effectively ensure that children capable of expressing their views are provided with adequate opportunities to do so and ensure that all municipalities meet the requirements for active participation by children and regularly review the extent to which children's views are taken into consideration, including their impact on relevant policies and programmes (cf the Committee's concluding observations, 2009 paragraphs 29-30).*

136. One of the principles of the government strategy for strengthening child rights is that children should be given opportunities to express their views in issues that concern them. In the above-mentioned survey (see paragraphs 23-25) it was stated that children's rights in line with their age and maturity to influence their situation by, among other things, expressing their views freely in all matters affecting them, has been enshrined in law in several areas. Furthermore, the legislation cannot, however, ensure that the rights of every child are respected in every situation, but, as in the case of other rights, it is obviously of central importance that also application is consistent with the now current right. It is also noted that the right comprises several varying factors. Among other matters, it is a question of the child's ability to form its own opinion about things, appropriate information to facilitate this process, the interaction with parents or guardians as well as the complexity and sensitivity of the issues.

137. The Ombudsman for Children has pointed out that the preparatory work for legislation as well as the legislation itself is characterised by a distrust of children's ability to have opinions of their own. Children may not be allowed to properly have an input in disputes regarding custody, residence and visitation, or social services investigations nor in the asylum process either. Moreover, the Ombudsman for Children is of the opinion that as a general rule, regulatory authorities and courts are inaccessible to children nor are they adapted to fit children's circumstances, and emphasises that effective and child-friendly complaints procedures are part of the implementation of Article 12. Please also refer to annex 2, pages 4-5. The government has taken measures in a number of areas to improve in various ways the opportunities for children to express their opinions, which is described below.

Influence at national level

138. In 2010, the government commissioned the Ombudsman for Children to implement a project to ascertain the experiences and views of children and young people with respect to staying in foster homes and homes for care or residence (HVB). The purpose of this assignment was a methodical study and compilation by the authority of how a sample of children and young people perceive social child and youth care, the shortcomings and merits that they notice and the areas in which further progress can be made. This mandate also included identifying and testing a method for gathering the experiences and views of children and young people and subsequently making this available to public authorities, municipalities and county councils that may find it useful to have a means of listening to children at risk. One aspect of this method involves support for the children and young people in putting their experiences and views directly to decision-makers at the national level. The young people presented their views directly to such individuals as the Minister for Children and the Elderly who, in addition to child rights issues, also has responsibility for social child and youth care. The government allocated SEK 1.2 million to the Ombudsman for Children to undertake this assignment.

139. In 2011, the Ombudsman for Children was commissioned to gather the views and experiences of children and young people who had been subjected to violence and other abuses as well as those who are living under a protected identity, in accordance with the above-mentioned method (see paragraph 138). The government has allocated a total of SEK 1.9 million for the implementation of both these assignments. The issue of violence and abuse and of living under a protected identity involves several different government departments. The children and young people met the Minister for Children and the Elderly, and the Ministers of Social Affairs, Justice, and Education.

Right to be heard within the family

140. The government's strategy for enhanced parental support is based on the CRC and aims, among other things, to promote the ties and interaction between parents and children. One aspect of this is to increase the knowledge of the parents and their ability to listen to and respect the views of their child (see paragraph 207).

141. On behalf of the government, the Ombudsman for Children has produced material about the CRC for parents, which also addresses the child's right to be heard (see paragraph 182).

Influence in school

142. Swedish school pupils shall be given influence over their education, which relates to both a right to influence the content and design of the teaching, and also the circumstances of the school and the students' working environment. The Education Act (2010:800) emphasises the importance of student influence and explicitly states that children and students should be constantly encouraged to actively participate in efforts to further develop their education and be kept informed of matters that affect them. Please also refer to annex 1, paragraphs 15-16.

143. It is further stated that every pre-school and school unit shall have one or more consultation fora where issues of importance to the children, students and legal guardians/parents are to be discussed. Within the framework of this consultation process, children and students shall receive information on proposals for decisions on issues that are to be addressed there and they are to be given an opportunity to present their points of view before a decision is taken. The pre-school curriculum (Lpfö 98, revised 2010) states that pre-school shall strive to ensure that children develop their ability to express their thoughts and opinions and thereby have an opportunity to influence their situation. Pre-school

teachers will be responsible for ensuring that all children have a real influence on the working methods and the content of the activities. The work team will act in order that the individual child develops the ability and willingness to take responsibility and exert influence in the pre-school and strive to ensure respect for each child's views and opinions.

144. The age limit for the right of action has also been lowered in the Education Act in that persons who are sixteen years of age are entitled to speak on their own behalf in proceedings and cases under the Education Act.

145. The upper secondary school curriculum (Lgy11) states, inter alia, that it is the school that is responsible for all its students taking a personal responsibility for their studies and working environment, actively exerting an influence over their education and the inner workings of the school, and, based on a knowledge of democratic principles, enhance their ability to work in democratic ways, develop a willingness to actively contribute towards greater democracy at work and within the community, and strengthen their faith in their own ability to individually and collectively take initiatives, accept responsibility and influence their own conditions.

146. In accordance with the Higher Education Ordinance (1993:100) B.A. students in early years, primary and secondary education shall, among other things, demonstrate a communicative ability in listening, speaking and writing in support of the educational activities.

Influence within culture

147. The ordinance governing the government's Creative School Programme (please refer to paragraph 358) states that students must have been given an opportunity to participate in drawing up an action plan to describe the cultural development efforts that is a pre-requisite for being eligible for the grant.

Right to be heard in health care and medical services

148. The health care and medical services and their staff have since January 1, 2010 been obliged to pay particular attention to children's need for information, advice and support if the child's parent or another adult with whom the child lives permanently has a mental illness or a mental disability, a serious physical illness or injury or is addicted to alcohol or another addictive substance. The same applies if the child's parent or another adult with whom the child lives permanently unexpectedly dies.

149. The National Commission on Patient Empowerment (S 2011:03) has been mandated to propose how the patient's position within, and influence over, health care and medical services can be strengthened. One point of departure for the investigator's efforts will be to improve the conditions for good and equal care. One of the tasks is to map the status of the child as a patient within the health care system. The Commission is expected to complete its task on 30 June 2013.

Right to be heard in social services

150. On April 1, 2008, amendments to the Social Services Act (2001:453) and to the Act (1990:52), with particular regard to the care of young people, came into force with the objective of strengthening the position of children and young people and their right to information. Provisions were added to both these Acts that granted children and young people the right to receive relevant information about their case. Moreover, a provision was added to the effect that the application for care by the social welfare committee in accordance with the Act (1990:52) with particular regard to the care of young people, shall include an account of how the relevant information was given to the young person, the kind of relevant information provided, and the attitude of the young person.

151. On 1 August 2010, provisions of the Social Services Act (2001:453) came into force, which mean that in social services child protection investigations it will be possible for the investigator to speak to the child without the guardian's consent and without the latter being present. The same shall apply to investigations initiated by the social welfare committee in the case of a transfer of custody because the guardian is negligent in the care of the child or when a child is permanently cared for and brought up in a private home other than that belonging to the parents.

152. The supervisory reform implemented in 2010 introduced a provision into the Social Services Act (2001:453) to the effect that the National Board of Health and Welfare in an inspection relating to the child's circumstances, may interview the child if it can be assumed that the child will not suffer any harm from the interview. The child may be interviewed without the legal guardian's consent and without the latter being present. The Ordinance (2009:1243) containing instructions for the National Board of Health and Welfare introduced a provision on the Board integrating a child perspective into the supervision and developing methods as to how supervision relating to children and young people should be undertaken (please also refer to paragraphs 232-236).

153. In 2009, the Child Protection Study submitted its findings, the Act on support and protection for children and young people (SOU 2009:68) to the government. It contains proposals for, inter alia, the appointment of a specially appointed social worker for the child or young person in conjunction with placement in a foster home or a home for care or residence. The social worker is responsible for contacts with the child or the young person and shall visit him or her on a regular basis to the extent that is appropriate in accordance with his or her wishes. According to the study this would ensure the basis for a trusting contact that enables the child to talk about his or her situation, what help he or she needs, and whether there is anything that bothers him or her. The government has decided to submit a proposal with amendments to the Social Services Act and LVU to the Council on Legislation. It suggests, inter alia, that there should be a provision to appoint a special social worker. The referral to the Council on Legislation also proposes that the right of the child to express his or her views should be made clearer in both laws. The government also notes that from a child rights perspective it is important that the child's views and proposed measures are clear and are presented to the decision-makers (see paragraph 188).

Influence for disabled children

154. Since 1 January 2011, the Act (1993:387) regarding subsidies and services to certain disabled persons (LSS) includes a provision that when an intervention affects a child, the child should receive relevant information and be given the opportunity to present his or her views, which shall be given due weight in accordance with his or her age and maturity.

155. Children who have a disability are rarely given the opportunity to express their views in either the planning, design or follow-up of support activities relating to their development, well-being and everyday life. To exercise this right, children should be offered information and dialogue on support measures which are appropriate to their disability, age and needs. Handisam has been commissioned by the government, in co-operation with the Sweden Disability Federation and in consultation with the Children's Ombudsman, to gather experiences and disseminate information on methods and strategies for how children and young people with disabilities are to be able to influence decisions that concern them. The report on this assignment is to be presented in November 2012.

Right to be heard in asylum cases

156. The Migration Board investigates and assesses the child's own reasons for asylum by such means as talking to the child and/or its representatives. This conversation with the child is held only after obtaining the consent of a guardian, a special appointed guardian or

a trustee. In the case of every application an assessment is made as to whether it is appropriate to hear every single child or not, and this is done for example on the basis of the child's age, maturity and mental health. If the child is too small to be heard, the Board holds what is termed a child-focused parental discussion instead.

157. The Migration Board has standardised the quality assessment of how children are able to state their views in various parts of the case handling process. For example, the Board has established standardised protocols for oral inquiry with children to ensure that the child's situation is elucidated at an early stage in the process. During 2011, the Board conducted a survey which included a question on how children, or their parents, felt that their children had been allowed to express theirs views. The results showed that 79 per cent agreed completely or partly with the statement that "I have been heard/My child has been heard". The Board will in future conduct this survey twice per annum in order to follow the trend over time.

Right to be heard in judicial proceedings

158. The legislation on a counsel for the injured party and a special representative may be said to be aimed at providing support for children to make known their views in criminal justice issues that concern them and gaining respect for children's views and perceptions. The Code of Judicial Procedure contains rules for young offenders which aim to facilitate the child telling and making known its views. The law on young offenders can also be said to have such a child rights perspective.

159. The common national guidelines for collaboration on children suspected of being subject to crime and criteria for the Children's Houses contain recommendations whose purpose is that in their contacts with children the authorities should have a clear child rights perspective and give children an opportunity to relate under safe and secure conditions what may have happened to him or her.

160. The Prosecution Service Agency manuals "Dealing with Child Abuse," "Dealing with gross violation of integrity crimes" and "Responding to Crime Victims" include recommendations on how children under Art 12 of the CRC should be given the opportunity to voice their opinions and be heard in matters affecting them. The manuals also address the question of how children who have witnessed violence in their family are to be given the opportunity to be heard, including safeguarding the child's right to criminal injuries compensation under the Criminal Damage Act. Please also refer to annex 1, paragraphs 19-21.

161. For a considerable time now, the Prosecution Authority has been arranging special training courses for prosecutors dealing with crimes against children and also for those dealing with crimes committed by young offenders. Child development and various disabilities, as well as the CRC are included as elements of these courses. The basic training for prosecutors also includes training in handling child abuse and cases against juvenile offenders. Both in the role of injured party and crimes suspect, children may have difficulty in understanding what happens during the investigation of a crime and during the trial. Even children who do not come to court to be heard in person have a need for information on what is happening.

162. At the local public prosecution offices special prosecutors are appointed to deal with crimes against children and crimes by young offenders. These prosecutors have a commitment to and an awareness of the importance of children understanding what is happening and their need and right to be heard.

163. The instruction of the Crime Victim Compensation and Support Authority state that it shall make active efforts so that public authorities and other actors acquire a greater knowledge of crime victim issues and an awareness of the availability of crime victim

compensation, and also utilise the views and experiences of crime victims. The Authority shall integrate a gender equality and a child and youth perspective by in its operations highlighting and noting conditions on the basis of age and gender.

IV. Civil rights and freedoms (articles 7, 8, 13-17, 28.2, 37 (a) and 39)

Access to appropriate information

164. *The Committee encourages continued efforts to take all necessary measures, including by enforcing appropriate legislation, providing parental education, education in schools and awareness-raising of children to ensure the protection of the child from information and material harmful to his or her well-being in conformity to article 17(e) of the Convention (cf the Committee's concluding observations 2009 paragraphs 31-32).*

165. The National Agency for Education has a government mandate to promote the use of information and communications technology ICT in pre-schools, schools and operations as well as by the school providers. Within the framework of this mandate, the Agency has developed a web portal, which focuses on source criticism and safe Internet use and contains facts, tips and ideas for discussions at school of source criticism, copyright, information retrieval and safe Internet use.

166. On 1 January 2011, the National Media Council, a public authority, was formed, whose mandate is to bolster the resilience of children and young people as aware media users and protect them from harmful media influences. This is achieved primarily through media literacy, while the Council also disseminates information and provides guidance on the media situation of children and young people. In order to improve media literacy, it has developed a teacher's guide based on the new curriculum (Lgr 11), worked with children and young people's panels and also collaborates with BRIS (Children's Rights in Society). It also sets age limits for films that are intended to be shown to children below fifteen under the Act (2010:1882) on age limits for films for public exhibition.

167. During 2011, the National Media Council developed its website, www.statensmedierad.se, which is aimed at teachers, educators and interested members of the public. It offers information on media literacy, research, publications, teaching materials and opportunities for young people to make their voices heard.

168. In 2011, the National Media Council published its research review "Violent video games and aggression - an overview of research during 2000-2011". According to this report, the research shows a statistical correlation between violent games and aggression, but no evidence that violent video games cause aggressive behaviour.

169. During 2009-2010, The Ministry of Culture and the National Media Council jointly arranged the "Digital Tourist" touring conference. The aim was for adults to better understand children and young people's creativity and activity on the Internet, in order to bridge the digital divide between the generations that characterises our time.

170. According to a government mandate, the National Media Council in 2013 will report how anti-democratic messages are conveyed via the Internet and how young people can be made more resilient and protected against such messages. In 2012, the National Media Council, in collaboration with its Nordic counterparts and Nordicom at Gothenburg University, organised a Nordic Youth Forum in Stockholm, which gave the young people a platform for discussing the future of the Internet on the basis of openness, diversity, accessibility, security, freedom of speech and democracy. Youth reporters documented the conclusions through e.g., a documentary film. They were given an opportunity to express

their views on issues that concern them through this documentary film and their presence at the EuroDIG 2012 event. The National Media Council is also working towards more secure Internet use among children and young people, for example, by holding a "Safer Internet Day" each year, which is organised jointly with BRIS (Children's Rights in Society) and enjoys support from the EU Safer Internet Programme.

171. Please also refer to annex 1, paragraphs 21-26.

Combating violence and other abuse

172. *The Committee recommended that Sweden take all necessary measures to implement the recommendations of the United Nations Study on violence against children and especially to prioritise prevention and promote nonviolent values and awareness-raising. The participation of children shall be ensured, and accessible and child-friendly services and methods for reporting violence against children are to be created (cf the Committee's concluding observations 2009 paragraphs 33 a and b).*

173. Children are entitled to protection from all forms of violence and abuse, and in line with the government strategy for strengthening child rights, the child's physical and mental integrity is to be respected in all circumstances. To combat violence and other abuse of children is a priority for the government, for which reason it has in recent years taken a number of measures to raise awareness of violence against children, early detection and to develop better methods to protect and assist the victims, which also applies to children who have witnessed violence.

174. In 1979, the ban on corporal punishment was introduced (Chapter 6 Section 1 of The Children and Parents Code). The principal starting point of the legislation to protect children from suffering abuse and neglect is to provide the family with the necessary support. The Social Services, through the provisions of Chapter 5 Section 1 of the Social Services Act have a clear responsibility to protect children who are suffering neglect or abuse or who are at risk of harm. The premise is that all efforts to protect and support children and young people should be made on a voluntary basis. In order to give vulnerable children and young people the support and treatment they need, however, the social welfare committee may intervene compulsorily in some cases in accordance with the Care of Young Persons Act (1990:52). According to Chapter 5 Section 11 of the Social Services Act, the child is entitled to protection if he or she is a crime victim, which also includes children who have witnessed violence in which family members were involved. According to Section 1 the Act (1999:997) on a special representative for children, a special representative for the child should be appointed when there is reason to believe that a crime that can lead to imprisonment is committed against someone under eighteen years of age, if a guardian may be suspected of this crime, or it may be feared that a guardian because of his or her relationship to the person suspected of the crime will not safeguard the child's right.

Incidence of child abuse

175. Awareness of the extent of and attitudes towards violence against children within the family should be the basis for efforts by the government and relevant public authorities in this field. The government commissioned the undertaking of two studies on violence against children: one from the Swedish National Council For Crime Prevention and the other from the Children's Welfare Foundation. Please refer to annex 1, paragraphs 27-29.

176. The Swedish National Council for Crime Prevention was mandated by the government to conduct a survey on the extent of and trend in child abuse during 2000-2009. The report on this mandate was presented in October 2011 and is a follow-up of a previous

survey of the period 1990-1997. These studies show that cases of abuse of children aged 0-6 reported to the police have increased since the later part of the 1980s. The increase has been particularly great since 2005, with the figures more than doubling in five years. Few reports result in a prosecution. The Council considers that the large increase in child abuse reported to the police in the 2000s is due to changes in the reporting behaviour of primarily parents, pre-school and school staff and also the social services. The reason for this higher propensity to report, according to the Council, is due in large part to the major initiatives taken by the government to increase knowledge of, and improve the routines for, mandatory reporting in the case of the ill-treatment of children. Part of the increase may also, according to the Council, be attributable to the fact that increasingly professional investigations in consultations between the various public authorities now take place at the Children's Houses since the interaction has improved through this. The most grave, deadly violence against children has decreased over a long period and shows a continuing decline also between the 1990s and the 2000s. This report on this mandate was presented on 31 October 2011.

177. Through funding from the government, the Children's Welfare Foundation has conducted a study of children's and parents' experiences of and attitudes to corporal punishment and other degrading treatment. The 2011 national study of corporal punishment and other degrading treatment of children is a follow-up of the studies conducted in 1980, 2000 and 2006. The present study shows that there have been no remarkable changes over the last ten years. About three percent of parents in the study indicate that they struck their child at some point during the past year, but no parent reported that they did so more than ten times. One part of this study is a schoolchild study based on the students' experiences throughout their lives as far back as they can remember. Fourteen percent of those in the ninth school year indicate that they were beaten at some point and nearly three percent stated that this happened many times. This proportion is almost exactly the same as in the earlier investigations in the 2000s. By far the most serious risk factor for child abuse is if there is violence between the adults in the home. If the parent is under the influence of alcohol or drugs in connection with the conflict, the risk of violence against the child is also significant. Exactly as in the earlier surveys from 2000 and 2006, children with chronic illnesses and disabilities state that they have been beaten twice as often as children without such problems, while they also more often live in families where there has been violence between the parents. A summary of the above study was also produced in other languages: English, French, Spanish, Portuguese and Russian. This report was presented in January 2012.

178. The government has mandated the Swedish National Board for Youth Affairs to conduct a study of boys and young men's attitudes and values in relation to gender equality, masculinity and violence. In addition, the study will also describe their exposure to violence and the use of force. Furthermore, differences between the sexes in the use of and exposure to violence will be analysed from a gender equality perspective. The Board will also undertake an analysis of Swedish and international methods and attitude change efforts directed at boys and young men. This is aimed at identifying success factors, problem areas, gaps in knowledge, and development needs with regard to attitudes and values relating to gender equality, masculinity and violence. The study is to be presented no later than 1 February 2013. Based on the results of this, the National Board will hold training measures for the staff involved in working with young people. The entire project report is to be submitted by 31 December 2014.

Children's and young people's views and experiences

179. The government considers it important to obtain the views and experiences of children and young people affected by violence and other abuses, in order to supplement the studies and surveys conducted (please refer to paragraphs 175-177). The government

therefore mandated the Ombudsman for Children to gather the views and experiences of both children and young people who have been subjected to violence and other abuse, as well as those who live with their personal data having been protected. The purpose of these mandates was to methodically examine and compile how these children and young people feel about their situation and the support they receive. Both mandates were reported in the Ombudsman's annual report to the government on 23 March 2012 (see paragraph 139).

180. The children and young people have presented their experiences to such quarters as the relevant ministers and public authorities. A recurring theme in their stories is that the violence could persist for a very long time without being detected. They have tried to send signals, but the adults did not hear or understand them. Their stories also tell us how society acted when the violence finally came to light, and how they were dealt with by the school, health care and medical services as well as the police and the justice system.

Parental support

181. Various forms of parental support are of great importance in combating all forms of violence against children (see also paragraphs 207-211).

182. The government has allocated SEK 2 million to the Ombudsman for Children to produce and disseminate information material for parents and prospective parents on the rights of the child. The material presented in August 2011 focuses in particular on the relationship between child and parent and also deals with the child's right to protection from violence. Dissemination of this material is undertaken in various ways, including by training child care staff so that they can use the material in their parental training courses. The final report on this assignment is to be presented in December 2012.

Early detection of child abuse

183. According to the Social Services Act (14:1) all those who work with children are obliged to notify the social welfare committee if there is suspicion that a child is at risk of neglect or abuse or is suffering neglect or abuse, or if they in their activity become aware of something that may indicate that the social welfare board needs to intervene to protect a child. This concerns, for example, staff in schools, pre-schools, health care and medical services, the police and prison and probation service.

184. In a report in 2010, the Ombudsman for Children drew attention to the unique opportunity for dental care to discover children subjected to violence and abuse, as all children are regularly called to dental appointments, and more than half of all assault injuries to children can be found in the oral, head and neck region. An examination by the Ombudsman noted that one third of the clinics felt that they needed additional support to enable them to act to protect the child. Other surveys by parties including the Swedish Paediatric Society has shown that staff in both dental and health care and medical services sometimes lack the skills and routines required to comply with the notification requirements, please refer to annex 2, page 8.

185. The government has taken steps to improve the reporting of violence against children. The common national guidelines for interauthority co-operation relating to children subjected to crime is one such measure. Furthermore, The Crime Victim Compensation and Support Authority is running a training programme in order for children who have witnessed violence and other abuse in close relationships to be made visible to a greater extent in the preliminary investigations is another.

186. The National Board of Health and Welfare has been mandated to intensify the efforts of the health care and medical services in the event of suspicions that children and young people are, or run the risk of neglect or abuse. The mandate involves surveying, compiling and disseminating knowledge that can support, facilitate and improve such

efforts when it is necessary to pay attention to, respond to and care for children and young people whom they suspect are, or run the risk of neglect or abuse. The role of the dental care services in drawing attention to child abuse should also be considered in this assignment.

187. The National Board of Health and Welfare has been mandated to produce a national guidance for staff in the health care, medical and social services in order to improve the means for detecting vulnerability to violence. The aim is to support staff in investigating and evaluating vulnerability to violence among those whom they encounter in their work. The mandate also includes providing proposals to the county councils and municipalities on how the implementation of the national guidance is to be realised and supporting implementation efforts. The final project report is to be presented on 15 April 2014.

188. The Child Protection Study pointed out the importance of early detection of children who are subjected to abuse. The study considered that it is an issue of legal consistency for the individual that there be a certain predictability with respect to the grounds on which decisions are taken to investigate. The suggestions included clarifying the provision as to when those with a mandatory duty to notify must, or members of the public ought to, notify the social welfare committee. In its referral to the Council on Legislation, the government proposed that notification must and ought to be made, respectively, if a child is suffering neglect or abuse or there are suspicions of neglect and abuse. The government also states in the aforementioned referral that it intends to mandate the National Board of Health and Welfare to produce guidance on the handling and evaluation of notification.

189. The framework for the mandate of the Children's Welfare Foundation during 2010-2012 (please refer to paragraph 177) included the development and dissemination among relevant professional groups of information material entitled "Dare to see, dare to act", in order to raise awareness of neglect and child abuse and to improve opportunities for early detection. Information on neglect and child abuse is available on the Foundation's website. Regional conferences aimed at relevant professional groups have been held to increase awareness of neglect and child abuse. Experience from the Karolinska hospital project Mental vaccination (see paragraph 190) has also been disseminated in conjunction with conferences with the aim that this method shall be adopted by other county councils.

190. The Mental vaccination project has entailed such matters as training hospital staff at Stockholm County Council and the prospective parents about the very serious risks to child health from shaking an infant. The project also trained hospital staff in how best to inform the parents about these risks as well as how to identify children who have been subjected to this.

191. The Crime Victim Compensation and Support Authority has been mandated to conduct training measures in order for children who have witnessed violence and other abuse in close relationships to be made visible to a greater extent in the preliminary investigations of such crimes and thus improve their opportunities to obtain crime victim compensation and also other support and protection.

192. The National Board of Health and Welfare has in 2012 been mandated to conduct a survey of operations where there is a knowledge of violence against children, including sexual abuse and sexual exploitation of children as well as children who witness violence. The Board shall also identify operations that require greater knowledge of these issues. Based on the survey, the Board shall analyse such matters as whether there is a need for an actor with overall national responsibility for the dissemination of knowledge with regard to issues of violence against children.

193. The government has appointed a national co-ordinator to combat violence in close relationships. The Coordinator's tasks includes bringing together and supporting the relevant authorities, municipalities, county councils and organisations to increase the

effectiveness, quality and sustainability of the work against violence in close relationships. The coordinator shall, for example, consider ways of improving protection and support to victims of crime. Those children who grow up in families where violence occurs are an important target group in the co-ordinator's work. The final report on this mandate is to be presented no later than 30 June 2014.

Support for children and young people subjected to violence

194. The Social Services Act (2001:453) states, inter alia, that the social welfare committee shall act so that children and young people grow up in safe conditions and in close collaboration with the homes, ensure that children and young people at risk of suffering neglect or abuse receive the protection and support that they need. In the first instance, measures by the social services shall be provided in mutual understanding with the young person and his or her guardian, and such efforts shall be characterised by respect for the young person's human dignity and integrity. In cases where children have been subjected to abuse or neglect, the social welfare committee may decide to care for the child outside the home without the consent of guardians, and it is only when the necessary care cannot be arranged on a voluntary basis that coercive measures are to be taken.

195. The National Board of Health and Welfare has been mandated to continue to stimulate the development of social services efforts on behalf of abused women and children who witness violence, including work to ensure that social services operate in this field in a more longterm and strategic manner. The Board has been allocated SEK 8 million for this mandate which runs from 2011 to 2013 and includes taking measures in the area of health care and medical services, where this is relevant. As part of this initiative, the government has also approved special development funds of SEK 109 million per annum for quality assurance of activities involving abused women, children who have witnessed violence, and violent offenders. During 2012, SEK 70 million will be allocated to the municipalities for performance-based measures in this area, while SEK 20 million will be allocated to support associations that operate at the local level in the field. To achieve appropriate allocations of funds and contribute to long-term methodological development efforts, national and regional knowledge support is to be established by the Board and the county administrative boards.

196. The National Board of Health and Welfare has been mandated by the government to undertake evaluations of the operations on behalf of abused women, children who have witnessed violence and violent offenders, in order to develop knowledge-based approaches in the field. The evaluation concerning children who have witnessed violence shows, among other things, that measures directly aimed at children, i.e., activities directed towards combating violence and child psychiatry, have positive effects, in terms of the child's mental health and its ability to manage its emotions in comparison with other interventions. The report on this mandate was presented in June 2011.

197. The government has mandated the National Board of Health and Welfare to produce a comprehensive analysis of sheltered accommodation measures for threatened individuals, and also to draft guidance material for the relevant target groups. The government has also mandated the County Administrative Board of Östergötland County to disseminate a guide for supporting and rehabilitating young people who have been placed in foster home and home for care or residence (HVB) on the grounds that they may be, or have been, married against their will or subjected to honour related violence and oppression.

198. The government has mandated the National Board of Health and Welfare, in consultation with the Swedish National Institute of Public Health and the Swedish Association of Local Authorities and Regions, to manage and co-ordinate a long-term national initiative to develop and strengthen support for children growing up in families where substance abuse problems, mental illness, mental impairment or violence occur. This

initiative extends over the entire mandate period, and the government intends to allocate SEK 47 million per annum to this project, which includes both enhancing knowledge and methodological developments in this field and allocating project funds.

Violation of integrity

199. A person who commits certain repeated violent crimes, disturbance of the peace or sex offences against a family member or previous family member, e.g., a child, may, if the criminal offences have formed part of a repeated violation of the injured person's integrity and have been intended to severely damage his or her self-esteem, be sentenced for *gross violation of integrity* to a term of imprisonment of between six months and six years (The Penal Code Chapter 4 Section 4 a). Violation of integrity crimes have recently been the subject of an evaluation, and the study found that the application of violation of integrity crimes considered the victim's entire situation, when he or she has suffered a series of punishable but often in their own right relatively minor offences, and the penal value of repeated offences in close relationships has generally been increased (SOU 2011:85 Violation of integrity crimes and arbitrarily conduct concerning a child).

Grave violence in schools

200. In March 2008, the government mandated the Swedish National Council for Crime Prevention to survey the incidence of serious violence in schools. The survey showed that the gravest violence is very rare in Swedish schools and also that there is a clear link between abusive behaviour, school climate and vulnerability to school violence. Based on the survey, the National Agency for Education has developed support material for schools on how to work to prevent crimes with an emphasis on more serious violence.

Schools value base

201. Under the Education Act, the school and the education provider have a far-reaching responsibility to investigate reports of abusive behaviour, take action to ensure that the violations cease and monitor and evaluate the efforts made. Furthermore, the school is obliged to conduct preventive work and ensure that an equal treatment plan is drawn up every year in collaboration with the students.

202. The Child and School Student Representative (BEO) investigates, as previously mentioned, information about degrading treatment and may also represent individual children and students in court. In addition, he or she provides information on legislation as well as advice and information about efforts to combat degrading treatment. Please refer to paragraph and appendix 1, paragraphs 30-33.

203. The government has mandated the National Agency for Education to offer school personnel further training in order to enhance efforts relating to the school's value base, discrimination and degrading treatment. This training shall be based on Swedish and international research in this field and pay particular attention to such aspects as the importance of a gender perspective in the choice of measures against bullying and the situation of young LGBT people. As part of this mandate, the Agency shall further compile and disseminate information on best practices for preventive and remedial measures. The government has allocated SEK 40 million for this mandate during the period 2011-2014.

Statute of limitation for genital mutilation of children

204. On 1 July 2010, a revision of the statute of limitation was introduced, which means that the period of limitation for genital mutilation and attempted mutilation perpetrated against children begin when the child turns or would have turned eighteen. Thus, the possibilities to prosecute have increased and the child's rights enhanced. The reasons for the

revision included the fact that FGM is a crime that is often not discovered or reported until the child has reached a certain age and maturity and is able to comprehend that she is the victim of a crime. Please also refer to paragraphs 320-323; in other respects please refer to Sweden's fourth report, paragraphs 184-186.

Support for the Special Representative of the Secretary-General on Violence against Children

205. The Committee recommended Sweden to co-operate with and support the Special Representative of the Secretary-General on Violence against Children and provide information on the implementation by Sweden of the recommendations of the Study in the next periodic report (cf the Committee's concluding observations, 2009 paragraph 33(c) and (d)).

206. Sweden has long been instrumental at the UN in calling for attention to children's vulnerability and increased compliance with their rights. Sweden thus financed the study on violence against children, undertaken by Paulo Sérgio Pinheiro. One of its recommendations was that the UN Secretary-General should appoint a Special Representative on violence against children. This representative, Marta Santos Pais, was appointed in 2009 for a period of three years. In 2012, a decision will be taken on a possible extension of the mandate. Sweden has provided financial support for this function since 2009 and supports an extension of her mandate. Sweden has also submitted a report on Sweden's efforts to combat violence against children to the Special Representative of the Secretary-General on violence against children.

V. Family environment and alternative care (articles 5, 9–11, 18.1–2, 19–21, 25, 27.4 and 39)

Parental support

207. According to the government strategy to strengthen the rights of the child, parents are to learn about children's rights and be offered support in their parenting. In March 2009, the government adopted a National Strategy for developed parental support. The overall objective of the strategy is that all parents are to be offered parental support throughout the period the child is growing up and is aged 0-17. The parental support in the strategy aims to promote the children's health and positive development through the parents and maximise their protection from illness and social problems. It is part of the government's overall long-term efforts to promote health and prevent illness among children and young people. To promote the bond and interaction between parent and child is an important starting point in these efforts. The strategy emphasises that it is important that the value base of the parent support programs is based on the CRC and that they assume a gender equality perspective. To achieve the overall objective of the strategy, the government has mandated the Swedish National Institute of Public Health (FHI) to allocate a total of SEK 130 million in stimulus funds to municipalities and research institutions in order to stimulate local and regional parental support efforts and gain new expertise in this field. Nineteen municipalities have received stimulus funds and fifty others have been affected by the stimulus funds through collaboration with a project municipality. In April 2012, the government allocated FHI an additional SEK 2 million to disseminate the knowledge obtained during the period of parental support projects in the country, and it will also, among other things, be arranging regional conferences.

208. Part of the government mandate Safe and secure care for children placed outside their home, also includes that legal guardians, and those caring for the child are to be given advice, support and other assistance that they need (see paragraph 216).

209. The Prison and Probation Service arranges courses in parenting for those prisoners who have children, the purpose of which is to help them maintain or create a good relationship with their children. At one of the country's prisons, the Service arranges a parenting and family life course where prisoners are allowed to attend and spend two weeks there with their families. The parenting training courses at this institution is primarily so that prisoners serving long prison terms will have the opportunity to establish good relations with their family (please also refer to paragraph 326).

210. The government has allocated special funds to the Ombudsman for Children to provide and disseminate information material for parents/prospective parents about children's rights (please refer to paragraph 182).

211. Please also refer to annex 1, paragraph 34.

Family environment

212. The Committee recommends that Sweden take measures to address the causes of the high number of children who are removed from their families as well as children who run away from home or are forced to leave home and ensure that these children have access to services and get the necessary advice and support and further develop implement programmes and policies to prevent the placement of children in institutions, inter alia by providing support and guidance to the most vulnerable families (cf the Committee's concluding observations 2009 paragraphs 34-35).

213. The government considers it important to give parents support in their parenting (please refer to paragraphs 207-211), inter alia, as part of efforts to prevent the child needing to be placed outside the home. The current legislation is based on voluntary participation and noninstitutional care, while the best interests of the child should carry great weight and family ties are important. Only when these voluntary means have been exhausted, placements outside the home, based on the best interests of the child, may be the only option. In the case of coercive legislation, this can only be considered once it has been established that the necessary care cannot be provided in collaboration with the young person and/or his or her guardian. According to the Social Services Act, the social welfare committee shall contribute towards the individual who has been placed outside the home receiving good care and upbringing and in other respects favourable growing conditions with regard to, for example, education. Carers and those caring for the child will also receive advice, support and other assistance that they need. Please also refer to annex 1, paragraphs 37-43.

214. At the national level, statistics are compiled annually on the number of placements of children outside their home, which have risen despite the fact that municipalities are working to avoid around-the-clock placements. Please refer to annex 1, paragraphs 40-43.

Evidence-based social services

215. The government has also initiated development efforts for evidence based practices in social services, the purpose of which is that the users will benefit from measures based on best practice standards. When it comes to social care for children and young people, a priority area is to support providers and alternative providers in an ongoing systematic monitoring of children and young people placed in foster homes and homes for care or residence.

216. In recent years, extensive development efforts have occurred under the Looking After Children management and documentation system (BBIC), which is intended to provide the social services with a structure for investigating the child's needs and also plan and monitor the agreed actions with a clear focus on the individual child and his or her needs. The system is also expected to contribute to national uniformity in the exercise of authority and an applied holistic approach, while also being one step nearer a knowledge-based practice. The National Board of Health and Welfare runs this operation together with municipalities and county councils at national, regional and local levels, and it notes that BBIC is being introduced in almost all municipalities. The government has contributed funds for this initiative.

217. As part of efforts to develop evidence-based social services, the National Board of Health and Welfare has been mandated to develop a program for the safety and security of children and young people on placement, which the municipalities can use in their work with children placed outside their homes. This includes guardians and those caring for the child also receiving advice, support and other assistance that they need. The mandate also includes developing guidance within this field in order to contribute towards an evidence-based practice and legally consistent case handling. Material for basic training in the municipalities' foster homes is to be produced, and the need for local and systematic follow-up is to receive particular attention. This work will be done in consultation with the Swedish Association of Local Authorities and Regions and in dialogue with those active in child and youth care services and the Ombudsman for Children. The report on the mandate is to be presented to the Ministry of Health and Social Affairs by 30 June 2012.

218. The government has mandated the National Board of Health and Welfare to produce guidance on how the best interests of the child and the child's story will be documented. The underlying reason for this is that although there has been progress on the part of social services when it comes to talking to children and young people, the government considered that this was an area that needed further improvement. This became evident in, for example, the Child Protection Study. In addition, there was virtually no guidance on how voluminous the documentation should be, and the kind of language to be used so that it could also be understood and read by the child.

219. As part of the ongoing efforts to establish an evidence-based practice, the government in agreement with the Swedish Association of Local Authorities and Regions has initiated a project with regional development managers (people with expertise in implementing improvement measures) in social child and youth care. The above knowledge support will be an important work tool for these development managers.

Statistics

220. The National Board of Health and Welfare has been responsible since 2009 for developing open comparisons of social child and youth care as an important aspect of efforts to raise efficiency and quality. This involves such matters as comparisons of accessibility and knowledgebased operations as well as safety and security. The Board publishes annual open comparisons of social child and youth care.

Stronger protection for vulnerable children

221. In its Budget Bill for 2012, the government has determined that there is a need for further measures in order to, for example, enhance protection for vulnerable children. It proposes that a total of SEK 140 million be earmarked for 2012 to include improving the protection provided by social child and youth care, and subsequently SEK 200 million annually with effect from 2013, of which SEK 18 million is for special temporary measures annually during the 2013-2015 period. The Ombudsman for Children was mandated by the government to interview children and young people about how public authorities function

in their contacts with children. Their accounts have guided measures to improve the work of the social services on behalf of vulnerable children. In June 2012, the government referred to the Council on Legislation proposals that will further strengthen the protection of children. In these it has also been stated that it intends to approve investments in such areas as improved expertise, more visible and accessible social services for children, and also a national program for greater security.

Measures to combat homelessness

222. As there are no national statistics on children who run away from home, it is difficult to estimate the extent of this problem. The National Board of Health and Welfare, as mandated by the government, has made an attempt to map homelessness among children and young people in the grey area between the family and care in the community. A total of around 400 children and young people was reported during one week in May 2011. In 2011, 663 children were affected by evictions, and, according to the Ombudsman for Children, statistics indicate wide variations among the municipalities and it is considered that the law needs to be amended so as to require the municipalities to take preventive measures against evictions of families with children. Please also refer to annex 1, paragraphs 44-45.

223. Under current legislation, the social welfare committee is responsible for endeavouring to ensure that children and young people grow up under safe conditions, which includes preventive measures. In cases where children and young people are at risk of ill-treatment, the social welfare committee is responsible for their receiving the necessary protection and support. In the first instance, support measures are to be taken in the child's home environment and in collaboration with the child and guardian. The social services have no specific measures for reaching out to the children who have run away from home; on the other hand, outreach field activities are undertaken, especially in the big cities, where social workers try to support and assist children who spend time out of doors, especially during the evenings and at night.

224. During every term of office, the municipality must by law plan housing provision in order to create opportunities for everyone in the municipality to have decent housing and to promote the preparation and implementation of appropriate housing provision measures.

225. The County Administrative Boards are mandated to conduct an annual analysis of the housing market within their respective county, which includes their giving the municipalities there advice, information and support for their planning of housing. In conjunction with this mandate, the Boards have also been tasked to specifically analyse how the municipalities pay attention to efforts to combat homelessness and exclusion from the housing market, as well as give the municipality advice and support in planning measures to combat homelessness, particularly among families with children that have been evicted.

226. With effect from 2012, a national co-ordinator has been appointed for the purpose of stimulating the municipalities to establish sustainable structures and functioning routines for measures to combat homelessness and also prevent evictions among families with children.

227. The Ombudsman for Children also highlighted the issue of eviction and homelessness (please refer to annex 2 page 6). Among other things, the Ombudsman for Children, together with the Enforcement Authority, met with nine municipalities in a dialogue on measures to prevent families with children from being evicted, which resulted in a memorandum outlining initiatives at both local and national levels.

Dealing arbitrarily with a child

228. The criminal responsibility for arbitrarily conduct concerning a child now varies according to whether the parents have joint custody of their child or one of them has sole custody. A study has proposed that criminal responsibility for arbitrarily conduct concerning a child in the case of joint custody be widened to include a guardian wrongfully detaining a child, not as is the case today, only when the child is unlawfully carried off (SOU 2011:85 Violation of integrity crimes and arbitrarily conduct concerning a child). This proposal has been referred for consideration and will then be drafted at the Ministry of Justice.

Children deprived of a family environment

229. *The Committee recommended that Sweden ensure adequate supervision and monitoring of the situation of children placed in foster homes or institutions and take the necessary measures to ensure the provision of complaint mechanisms for children without parental care; and provide follow-up and reintegration support and services for children who leave institutional care. (cf the Committee's concluding observations, 2009 paragraphs 36-37).*

230. In 2009, the Ombudsman for Children had young people who live in special youth care homes speak about their experiences as experts on their own lives and situation. The following year, the government mandated the Ombudsman to undertake a project to gather children and young people's views on and experience of residential stays in foster homes and homes for care or residence (HVB), (see paragraph 138). The results were presented to the government in 2010 and 2011 in I'm Sorry and Behind the facade, the Ombudsman's two annual reports. In February 2011, the Minister for Children and the Elderly met a number of children and young people who have been taken into care by society and who were given the opportunity to speak about their own experiences and express what they feel it is important to change in social services for children. Young people said, among other things, that staff in the homes and at social services do not believe them and that there is a need for adults whom they can trust and who can provide solace and guidance. The Ombudsman for Children has also conducted a questionnaire survey of all social welfare committees (The Social Welfare Committee's responsibilities for social care). The result shows that few social welfare committees, around a third, have specific directives on the health care and schooling of children taken into care. Few social welfare committees, just over one in five, has adopted directives on how social services should act when it becomes apparent that conditions at a foster home or at a home for care or residence are unacceptable.

Routines for prevention, detection and remedial action

231. When society assumes responsibility for children's upbringing and care, and places them in an environment into which the social services do not have daily supervision, it is essential to have an effective monitoring system to prevent children and young people from being neglected. In the aforementioned referral to the Council on Legislation on enhanced support and protection for children and young people, proposals include the social welfare committee ensuring that routines are in place to prevent, detect and remedy risks and unacceptable conditions in activities concerning children and young people. The referral to the Council on Legislation also states a number of upcoming initiatives designed to further ensure the care of children and young people at risk of ill-treatment (please refer to paragraphs 153 and 188).

Enhanced supervision

232. On 1 January 2010, new provisions came into force, which meant a completely new organisation for the supervision of the social services, where this function was transferred from the county administrative boards to the National Board of Health and Welfare and co-ordinated with the supervision of health care and medical services. Supervision of the special youth homes run by the National Board of Institutional Care (SiS) was also transferred from SiS to the National Board of Health and Welfare. The purpose of these changes was to ensure effective and visible supervision. The latter body has been allocated SEK 30 million annually in order to raise the ambition level and effectiveness of supervision. This body is independent of both the municipal social services responsible for the social child and youth care and also of SiS which is mandated by the municipalities to provide care.

233. The Ordinance (2009:1243) containing instructions for the National Board of Health and Welfare introduced a provision that the latter body should integrate a child's perspective into the supervision and develop methods for how supervision of children and young people should be conducted. A provision was also introduced in the Social Services Act (2001:453) to the effect that the National Board during its supervision may hear the child if it can be assumed that the child will not be harmed by the interview. The child may be heard without the guardian's consent and without a legal guardian being present. A provision was also introduced in the Social Services Ordinance (2001:937) stipulating that homes for care or residence (HVB) for children and young people should be continually visited for the purposes of supervision at least twice a year or more often when necessary, and at least one of the visits should be unannounced. During these supervisory visits, interviews are to be held with the children and young people, and these should be voluntary and undertaken with respect for their individual integrity.

Information for children and young people

234. In accordance with the provisions introduced in 2010, the National Board of Health and Welfare has produced information material for children and young people placed in foster homes and homes for care or residence, including youth institutions run by SiS (see above), on their rights and where they can turn to if they are mistreated. The Board also has a special telephone hotline for children and young people in care, which they can use if they have been mistreated or have any questions.

235. The Ombudsman for Children, in collaboration with the organisation Children's Rights in Society (BRIS), has produced a leaflet aimed at children and young people living in homes for care or residence and foster homes, containing information about the rights that apply to all children under the UN Convention on the Rights of the Child and other necessary information for young people placed in the care of social services for children.

Special representatives for children

236. In accordance with a government mandate, the National Board of Health and Welfare is undertaking a three-year (2010-2012) pilot project with special representatives for children placed in foster homes. The Board is to meet the children at least four times per year, or more frequently should the child so wish. The representative shall ensure that the conditions for the placement are monitored by the municipality and that children are cared for in a satisfactory manner, while also acting as a special person for the child to talk to. The child's experiences will be documented and forwarded to social services. This project is to be evaluated continuously.

Support after care has ceased

237. Municipal social services have a responsibility to assess and decide what support a child needs and the family may have in conjunction with the end of a placement. An amendment to the Social Services Act (2001:453), which came into force on 1 April 2008, clarified the social services' responsibility to meet the specific needs for support and help that children and young people may have after their care and upbringing outside the home have ceased. The government has also mandated the National Board of Health and Welfare to develop a program for safe and secure care in foster homes and homes for care or residence (please refer to paragraphs 216-217). This mandate also includes producing guidance where the need for local and systematic follow-up should be given special attention during the ongoing placement.

Intercountry adoptions

238. The Swedish Intercountry Adoptions Authority (MIA) has been tasked with ensuring a high quality in its intercountry adoption operations in Sweden. Between 2007 and 2011, on average 647 foreign children came to Sweden for adoption mediated by an authorised organisation. The number who have done so has declined in recent years. The children who do come are generally slightly older than before and also to a greater extent than before have special needs such as various types of disabilities. Please also refer to annex 1, paragraphs 46-47.

239. With effect from 2010, the aforementioned public authority (MIA) has been allocated a larger appropriation for its operations. In the 2010 Draft Budget, the government estimated that its regulatory activities needed to be expanded in view of the changes in the conditions of adoption policy and practice, including the fact the increasing complexity of developments abroad, which thus affects the need for inspection missions. The government also considered that the MIA ought to have a means of enhancing the support for adoptees seeking information about their background and the conditions in their countries of origin, as well as for improved information and training measures for social workers and other professionals working with adoption issues. A development initiative has begun and is continuing.

240. In 2008, the MIA, with special funding from the government, mandated Linköping University to produce a booklet about the history of these adoptions. A report on the results appeared in 2010, and in 2011, the MIA presented the film See me as I am, for use in parental education contexts, which aims to give prospective adoptive parents and others a glimpse into what life may have been like for the child before adoption, and thus assist in increasing understanding of the child and his or her needs. In other respects, please refer to Sweden's Fourth Report paragraphs 137-140.

Abuse and neglect

241. *The Committee recommended that Sweden continue to strengthen its efforts to provide adequate assistance to children who are victims of child abuse, including through early detection and treatment of cases involving child abuse and specific parenting programmes for families at risk of abusing children. Sweden was further recommended to support the Swedish Children's helpline and also raise public awareness of neglect and abuse as well as of preventive measures and training in methods promoting positive, non-violent forms of discipline (cf the Committee's concluding observations, 2009 paragraphs 38-39).*

242. Please refer to paragraphs 173-206 for combating violence against children and to paragraphs 207-211 on parental support. Please also refer to annex 1, paragraphs 27-29.

243. The government considers it important that children at risk can make contact with professional help and advice, e.g., through social services or a helpline. The option of contacting professional staff irrespective of the time of day or night is a quality indicator in the open comparisons of the National Board of Health and Welfare, whose 2012 report shows that per cent of the municipalities stated that they have a social services that is staffed around the clock by trained social workers, an increase of 17 per cent over the previous year. The organisation Children's Rights in Society (BRIS) also has a helpline for children.

Family reunification

244. The Committee reiterates its recommendation that Sweden continue to strengthen the measures taken to ensure that family reunification procedures for recognised refugees are dealt with in a positive, fair, humane and expeditious manner (cf the Committee's concluding observations, 2009 paragraphs 64-65).

245. Sweden introduced a means of support requirement for family member immigration on 15 April 2010, and thus became the last of the EU Member States to do so. The Swedish requirement means that the sponsors should be able to support themselves and have a dwelling of sufficient size and standard for themselves and their relatives. There are a number of exceptions from this requirement, of which two are aimed at situations where children are involved. Exceptions apply both in those cases where the sponsor is a child and in those where the applicant is a child, citing its ties to its parent. In the latter case, the exception also applies where the child's other parent applies together with the child. Exceptions to the means of support requirement also apply e.g. in cases where the sponsor is a refugee or is a person in need of protection.

246. Last year, 2011, was the first full year that the means of support requirement was applied, and it should be noted that the number of rejections on account of this requirement at that time amounted to about 200, a figure that should be related to the number of residence permits granted on grounds of family ties, which amounted to nearly 24 000. Please also refer to annex 1, paragraph 48.

VI. Disability, basic health and welfare (articles 6, 18.3, 23, 24, 26, 27.1–3 and 33)

Living standards

247. *The Committee recommends that Sweden take all necessary measures to ensure that no children are living below the poverty line, including special support measures, to ensure that children, in particular those from socially disadvantaged families, including single-parent households and of non- Swedish ethnic origin, are not living in poverty, regardless of where they reside. Sweden should consider drawing up a plan of action for combating child poverty in times of economic crisis (cf the Committee's concluding observations 2009 paragraphs 52-53).*

248. The decisive reason for the economic vulnerability of children is usually that the parents lack work or education. Measures within these areas are therefore of great importance to prevent children living in such vulnerability. Concerted governmental efforts in areas such as employment and education, as well as initiatives in financial family policy

and social policy constitute in their own right an action plan which together helps to reduce the economic vulnerability of families with children. In response to the weaker labour market trend, the government proposed a labour market package in the 2012 Draft Budget, which package includes enhanced support and mediation for those at risk of becoming long-term unemployed, a better monitoring of job seeking by the unemployed, as well as higher quality and activity in the job and development guarantee and the job guarantee for young people. The government is investing SEK 3.5 billion in 2012, 2.2 billion in 2013, 1.1 billion in 2014 and 0.4 billion in 2015 in both structural measures to combat long-term unemployment as well as temporary measures in response to the slowdown in the labour market. Please also refer to annex 1, paragraph 49.

249. There are several ways of measuring low economic standard. The proportion of children living in households with incomes lower than the 1991 relative boundary which has since then been adjusted for inflation, called the absolute measure, has fallen sharply from the high levels of the 1990s and has in recent years been around seven percent. Meanwhile, the proportion of children living in households with incomes below 60 per cent of median income (a relative measure) rose to around 17 per cent in 2010. The explanation for the difference between these measurements is that even those on low incomes have had an income in excess of inflation and have thus had an increase in real income. Meanwhile, the income for the low-income households with children have not risen as fast as the median income of society overall, which means that the proportion of households with incomes below 60 per cent of median income has increased.

250. Households with children whose members have a foreign background generally have a lower economic standard than their Swedish counterparts. What has been called the introduction reform has now been in force for over a year. This aims to achieve faster introduction to the labour market for certain newly arrived refugees and their families and has a clear gender equality focus. Among other things a state individual allowance, i.e., the introduction allowance, has been introduced which reinforces the incentives for both men and women to participate in activities and to work in addition to their introduction activities. It is still too early to say anything about the outcome of the reform, while the government has also appointed a commission of enquiry to suggest measures to increase labour force participation and accelerate introduction to the labour market for newly arrived foreign-born women and family migrants.

251. Swedish family policy provides a considerable financial support to families with children, both through direct contributions and by making it easier for parents to combine working and family life. In 2011, expenditure in this field totalled SEK 72 billion. Parental insurance, i.e., parental benefit, maternity benefit and temporary parental benefit compensate for much of the loss in income during maternity and/or paternity leave, and together with the gender equality bonus, this ensures good opportunities for parents to maintain links with the labour market while staying at home with their children when they are small.

252. Family financial support boosts the finances of single persons to a greater extent than in the case of co-habitants. At the same time, the fact that family financial support comprises fixed amounts or follows the price trend rather than the incomes trend means that the disposable income for single parents, whose income consist to a greater degree of such support payments, lag behind in times of real wage increases. To improve the finances of the most badly affected families with children, the special allowance for children included in the housing allowance has been increased from 1 January 2012 and the lower limit for housing costs at which housing allowance can be granted, has been reduced. Households with young people also received an increased allowance. This change means a reduction in the proportion of households with incomes below 60 per cent of the median. The initiative totalled SEK 1.2 billion, which means that the average amount for a family on housing

allowance will increase from SEK 2,021 per month in 2011 to SEK 2,765 per month in 2012, representing an increase of around 37 per cent. Also, in 2010, large family children supplements within general child benefit payments were already increased. Additionally, the right to financial assistance that guarantees families a reasonable standard of living also exists. From January 1, 2012, the national standard for all groups was raised by 3 per cent, as well as a specific increase for most households with children.

Children with disabilities

253. *The Committee recommended continued measures to protect and promote the rights of children with disabilities, inter alia, by developing and implementing a comprehensive policy for the protection of children with disabilities and for their equal access to social, educational and other services. The Committee also recommended Sweden to undertake the necessary measures to gather accurate statistical data that is disaggregated on children with disabilities, and to provide equal educational opportunities for children with disabilities (cf the Committee's concluding observations, 2009 paragraphs 40-41).*

Disability policy strategy

254. The national objectives of disability policy are a community based on diversity, a society designed to enable people with disabilities of all ages to participate fully in society as well as equal living conditions for boys and girls, men and women with disabilities. The focus of disability policy initiatives is to identify and remove obstacles to full participation in society for people with disabilities, to prevent and combat discrimination and also to give children, young people and adults with disabilities opportunities for independence and autonomy. To streamline the process of implementing disability policy and to improve monitoring and evaluation of the measures implemented and their effects, the government has decided on a strategy for its efforts to implement its disability policy during 2011-2016.

Follow-up system

255. As part of its efforts to implement the above strategy, Handisam has been mandated to develop a comprehensive monitoring system for the disability policy. The intention is that this system will provide a basis for better and more systematic monitoring and assessment of developments in the living conditions of people with disabilities in various areas of society that have a bearing on their opportunities for participation on equal terms (see paragraph 42).

256. Within the framework of the strategy, some twenty authorities have also been mandated to work in accordance with the partial targets for their respective activities set by the government. Annual monitoring and reporting shall be undertaken to the government and Handisam, and developments shall be reported annually to Parliament in the Budget.

257. Within the framework of the strategy, Statistics Sweden (SCB) has been mandated to report on developments in the living conditions of persons with disabilities, and in consultation with Handisam devise indicators and identify needs for developing statistics within different sectors of society appertaining to persons with disabilities. The results are to be reported regularly on the Handisam website. The efforts will be supplemented with panels, dialogue with the disability movement and with various actors at central and regional levels. In addition, Handisam will, on behalf of the government or on its own initiative, undertake in depth investigations of specific issues and annually present an analysis of the documentation for the evaluation of the strategy period.

258. Handisam has also developed its internal operations of allowing more people with various disabilities to be heard, such as children and young people. The intention is to

become better at ensuring improved potential to be heard for groups that seldom get a chance to achieve this aim, through increased knowledge and methodology developments.

259. In 2012, the National Board for Youth Affairs will undertake a thematic analysis of the living conditions of young people with disabilities, aged thirteen to twenty-five, with respect to education, influence, culture, recreation and community organisations, employment and health. This analysis will show how living conditions vary according to age and sex, and it will be undertaken on the basis of youth and disability policy objectives. The Board will highlight good examples from municipalities that are implementing measures to promote the living conditions of these young people within the above areas of society and identify possible areas for development. The report on this mandate is to be presented by 30 November 2012.

260. To improve information and co-ordination of community support for children and young people with disabilities and their families, the National Board of Health and Welfare has been mandated to survey how funds allocated to the county councils for their counselling efforts and other personal assistance under the LSS (Law on support and service to certain functionally disabled persons) are currently used and for what purposes. Based on the survey, the National Board will propose a pilot project with a co-ordinator for children and young people with disabilities. In addition, the Board will conduct a preliminary study of how information on community support to children with disabilities is best made available to the target group. The report on this mandate assignment is to be presented on 18 January 2013.

261. To improve the knowledge and support for people with several serious disabilities and medical needs, The Swedish Family Care Competence Centre has also been mandated to develop a national competence support for the parents and family members of people with a combination of several serious disabilities and considerable medical needs. This competence support is to be based on the needs of these people, predominantly children and young people, and developed in collaboration with the relevant providers.

262. Please also refer to annex 1, paragraphs 50-57.

Support at school

263. The Education Act (2010:800) states that all children and pupils must be given the guidance and stimulation that they need in their own learning and personal development, so that on the basis of their own potential they will be able to develop as far as possible according to the aims of their education. The Education Act also states that the head teacher must ensure that the pupil's need for support is swiftly investigated, if it is discovered that he or she will not meet the minimum proficiency requirements to be achieved, and, where appropriate, draw up an action program with the pupil and his or her legal guardian(s). Decisions in the matter of action programs can also be appealed to the Board of Appeals for Education.

264. The National Agency for Special Needs Education and Schools was established on July 1, 2008, with a mandate to offer advice and support to municipalities and schools, arrange expertise enhancement and undertake development initiatives within special needs education issues. In addition, it shall promote the availability of teaching materials designed for children and pupils with disabilities.

265. In order to improve opportunities for all pupils on the basis of their own potential to develop as far as possible according to the aims of their education the government reintroduced a special needs teacher-training course in autumn 2008. The training is provided in specialisations relating to language, reading and writing development, mathematical development, deafness or hearing impairment, visual impairment, severe language impairment, and learning disabilities.

266. Up until 2016, the school authorities will also be operating in accordance with the government's strategic efforts to implement its disability policy. Nine partial targets have been established for the education sector that focus on the design and adaptation of teaching, accessibility and the choice of school as well as a greater knowledge in the schools about disabilities and how students' needs can best be met.

Special allowances

267. The special allowance that may be given to certain disabled students at upper secondary schools (the RG allowance) was increased with effect from 1 July 2007. This grant can be provided for disabled students both on courses for the deaf or hearing impaired as well as those adapted for severely disabled young people. In order to improve the financial situation of these students, the government decided in May 2007 to enhance this support through an amendment to Ordinance 1995:667, which governs it.

Individual plans within health care and medical services

268. When a child with a disability has a need for measures from both health care and medical services as well as from the social services, the county council and the municipality shall draw up an individual plan. This should be done if either of these two bodies deems it necessary in order to meet the needs of the individual, and if the individual consents to this course of action, and wherever possible, this is done together with the individual concerned. Family members shall be given the opportunity to participate in the drawing up of the plan, if this is appropriate and the individual is not opposed to this (The Act on Health and Medical Services Section 3 f and The Social Services Act Chapter 2 Section 7).

269. Children and young people with mental disabilities often need measures from several actors, and Section 8 a of The Act on Health Care and Medical Services and Chapter 5 Section 8 a of the Social Services Act stipulate that the county council and municipality shall conclude an agreement on co-operation on the issue of persons with mental disabilities, in order to clarify the division of responsibility between the providers. Where possible, organisations representing these persons or their family members should be given an opportunity to give their views on the substance of the agreement.

Health care and medical services

270. A draft bill on a new ordinance for the national immunisation program was submitted to Parliament in March 2012, which contains a proposal for new legislation and a decision-making process for the introduction of vaccines in national immunisation programs. This proposal will ensure that, among other benefits, all children will receive a good protection against serious infectious diseases. Within the current child immunisation program, the National Board of Health and Welfare promulgated regulations to the effect that girls aged ten to twelve years of age shall be offered the vaccine against HPV (the Human Papillomavirus), as of 2010. Please also refer to annex 1, paragraph 63.

271. *The Committee recommended that Sweden take the necessary steps to ensure that all children, including undocumented children, have a right to health care and medical services under the same conditions as children legally residing in the country (cf the Committee's concluding observations, 2009 paragraphs 60-61).*

272. Asylum-seeking children should be offered the same health care and medical services and also dental care as children living in Sweden. The same also applies to children who are avoiding the enforcement of a decision on expulsion or deportation. In January 2010, the government decided to appoint a commission that was mandated to consider and propose how an enhanced obligation for county councils to offer subsidised

health care and medical services to asylum seekers and people who find themselves in Sweden without a permit could be structured. The investigator submitted his findings to the government on 31 May 2011, and the investigation proposed that asylum seekers and people who find themselves in Sweden without a permit shall regardless of age be offered subsidised health care and medical services by the county council in whose area they are residing or staying. This care should be offered to the same extent and on the same conditions as that offered to permanent residents. The investigation's proposals are currently under consideration at the Government Offices.

273. The government and the Green Party have in a framework agreement on migration policy agreed upon the ambition that during the 2010-2014 mandate period, to, provided that the economic situation so allows, extend the right to subsidised health care and medical services to certain groups that currently lack access to such services.

274. *The Committee recommends that Sweden consider reviewing and amending existing legislation to ensure that all children, without distinction of age, have access to complementary and alternative medical (CAM) examination, treatment and care and can enjoy their right to the highest attainable standard of health (cf the Committee's concluding observations, 2009 paragraphs 42-43).*

275. In Sweden, children under eight years of age are not permitted to be treated by staff who are not licensed to work in health care and medical services. In general, children are considerably more sensitive than adults, and young children are not able to choose between treatment methods or take responsibility for a treatment. Usually, very small children also cannot, apart from an immediate reaction to pain, adequately describe a treatment's effects. This justifies the treatment of children being made subject to special restrictions. The limit of eight years has been selected primarily with regard to the protection provided by their contact with the compulsory school system and the school health service, and currently there are no plans to change the law.

Mental health care

276. *The Committee encouraged Sweden to strengthen its mental health care system so as to ensure that adequate treatment and care is provided to all children that need it without undue delay, and also to ensure better cooperation between related services, such as schools, social care homes, the juvenile justice system, treatment centres for drug and alcohol abuse, etc. The Committee also urged Sweden to strengthen the health care resources for people in suicidal crisis and to take measures to prevent suicide among groups that are at risk (cf the Committee's concluding observations, 2009 paragraphs 50-51).*

277. The government has in recent years taken major initiatives to prevent the mental ill-health of children and young people and also to improve their mental health, and it will continue to prioritise such efforts. The goal is to achieve efficient forms of health-promoting measures and for children and young people with mental health problems to be offered care at the right level. Children and young people is one of two priority target groups in the government action plan for targeted interventions in the field of mental disorders during 2012-2016.

278. During the period 2007-2012, the government has allocated SEK 214 million per annum to county councils to support providers in their efforts to improve access to appropriate measures for children and young people suffering from mental ill-health. The aim is to increase the availability of specialist psychiatric services for children and young people (BUP).

279. The government has also decided to support a project that is the responsibility of the Swedish Association of Local Authorities, the Psynk project, as it is called, during the period 2012-2014. One of its goals is to promote the mental health of children and young people through preventive measures where all municipal and county council actors play their part. Models for working and collaborative methods shall ensure that access to the right level of care and to measures for children and young people with mental ill-health will be provided.

280. The government has also allocated funds to the National Board of Health and Welfare to enable them to gather, co-ordinate and convey knowledge and scientific methods in order to identify, prevent, provide early support for and treat, children and young people at risk of developing severe mental illness. Please also refer to annex 1, paragraphs 76-77.

281. Suicide, please refer to paragraphs 131-134.

Young people's health

Healthy lifestyle

282. *The Committee recommended that Sweden strengthen measures to address the occurrence of eating disorders, including bulimia and anorexia nervosa, overweight and obesity and promote a healthy lifestyle among adolescents, including physical activity, and also reduce the stress level of adolescents (cf the Committee's concluding observations, 2009 paragraphs 44-45).*

283. In June 2012, the government approved a new orientation of its public health policy, based on five key components of which a good start in life is one. Since the conditions for good health also in adulthood are established during childhood, health promotion and disease prevention measures ought to be initiated early in life, irrespective of whether this entails providing good conditions in which to grow up, healthy living habits or supportive environments. One example of a measure in this field is the parental support strategy for the period 2009-2013 presented by the government in 2009, which aims to enhance and develop the support for parents throughout the child's entire upbringing.

284. In 2010, the National Board of Health and Welfare was mandated to ensure that the guidelines, recommendations and research reviews of maternity, neonatal, and child health care and school health care and welfare services have been produced, are made available and are kept up to date. One aspect of the mandate entails collecting and disseminating knowledge that will create conditions for, and support, effective health promotion and disease prevention in maternal health, child health and school healthcare and welfare services in the areas of healthy eating and physical activity.

285. The National Board of Health and Welfare has been mandated to support the introduction of national guidelines for disease prevention methods, which means that efforts to enhance health care prevention in the use of tobacco, physical activity, eating habits and the risky use of alcohol are intensified.

Sexual and reproductive health

286. *The Committee recommended that measures be applied to analyse and combat the spread of sexually transmitted infections and to strengthen education of young people about sexual and reproductive health with a view to reducing the incidence of unwanted teenage pregnancies and abortions, and provide pregnant teenage girls with necessary assistance and access to health care and education (cf the Committee's concluding observations 2009 paragraphs 46-47).*

287. In 2011 there were 19.8 teenage abortions per 1000 women, which is a reduction by 5.3 per cent on the year before.

288. In November 2010, at the Government's request, the National Board of Health and Welfare and the Swedish Institute for Communicable Disease Control held a Nordic conference on prevention of unwanted pregnancies and on sexual and reproductive health. By bringing together experiences from the Nordic countries, the Government wanted to deepen the knowledge about how measures to reduce the occurrence of unwanted pregnancies can be applied at the local, regional and national levels. See also annex 1, paragraph 70.

289. The Government has asked the National Board of Health and Welfare, the Institute for Communicable Disease Control and the National Institute for Public Health to draw up a proposal for a national strategy on sexual and reproductive health and rights. The strategy is to focus particularly on strengthening preventive efforts against unwanted pregnancies and sexually transmitted diseases. An important part of this is to clarify how to reach and spread knowledge and information to central target groups, e.g. young people. The proposal is to be presented on 30 September 2014.

290. Youth clinics are a significant factor for sexual and reproductive health and for the prevention of unwanted pregnancies. The National Board of Health and Welfare has been instructed to produce a survey of youth clinics and their activities. The survey is to include data on the number of visits, accessibility for boys and girls, geographical distribution, available qualified staff, description of activities etc.

291. UMO is a national online youth clinic for young people between the ages of 13 and 25. The aim of the website is to make it easier for young people to find relevant, up-to-date and quality assured information about sex, health and relationships. The development of UMO has been financed by the Government. The annual knowledge and attitude survey among young people in the 15-25 age group showed in 2011 that 36 per cent of young people know about UMO.se, and that in the 15-17 age group as many as 55 per cent know about the website. Increased knowledge about the website has most probably also meant that visits to it have increased too. The survey also shows that 96 per cent of visitors feel that they find what they are looking for on UMO.se, which has about 260 000 visits per month.

292. The National Board of Health and Welfare has published a guidance document entitled "Preventing HIV and STI among young people" for the health and medical care services. It is directed at those activities within health and medical care (e.g. youth clinics), including school health care, that practice prevention among young people. See also annex 1, paragraph 75.

293. The National Board of Health and Welfare has drawn up a national action plan for chlamydia prevention intended to strengthen health promoting and preventive efforts, and which proposes measures to reduce the ongoing chlamydia epidemic. The focus is on youth and young adults, 2009-2014.

294. Under the curriculum for compulsory schooling (Lgr 11), schools' head teachers are responsible for ensuring that all pupils receive sex and human relationships education. The curriculum specifies the content of teaching for a number of different subjects, including social science subjects and biology. Teaching aims to inform about and discuss issues concerning sexual health, reproduction, sexually transmitted diseases and sexuality, identity, equality, relationships and love.

295. According to the upper secondary school curriculum, the head teacher has a special responsibility to ensure that pupils acquire knowledge about sex and relationships. The subject programme for nature studies specifies that the education is to include natural

science aspects of, reflection on and discussion about norms regarding human sexuality, lust, relationships and sexual health.

296. The Government has instructed the Swedish National Agency for Education to offer further training in teaching about sex and relationships and honour related issues to staff in compulsory and upper secondary education. HBT (homosexual, bisexual and transgender) issues are particularly to be considered. The training is being offered between 2011 and 2014.

297. The Education Act (2010:800) stipulates that school healthcare and welfare services are to be offered to pupils in preschool classes, the compulsory schooling system and in upper secondary school. The School healthcare and welfare services is to comprise medical, psychological, psychosocial and special needs resources. These require access to school doctors, school nurses, school psychologists and school counsellors. Pupils are further to have access to staff qualified to meet their special needs. The School healthcare and welfare services is to be primarily health promoting and preventive. The Government has instructed the National Agency for Education to implement measures for reinforced the school healthcare and welfare services. Between 2012 and 2015, SEK 650 million are to be allocated as special state subsidies to staff reinforcements in school healthcare and welfare services and to training programmes on, for example, schools' responsibilities for pupils with mental illnesses and children home come to harm or are at risk of coming to harm.

Alcohol, drugs and other substances

298. *The Committee recommended strengthened efforts to provide children and parents with information about the harmful consequences of substance abuse, ensure the provision of necessary and evidence-based support, recovery and reintegration services to all children affected by their own or their parents' substance abuse, and to collect data in view of determining the prevalence of this phenomenon (cf the Committee's concluding observations 2009 paragraphs 48-49).*

A cohesive strategy for alcohol, narcotic drugs, doping and tobacco policy

299. In December 2010 the Government drew up a cohesive strategy for alcohol, narcotic drugs, doping and tobacco policy (the ANDT strategy). The strategy defines objectives, approaches and priorities for society's initiatives between 2011 and 2015. The strategy consists of an overall objective and seven rolling long term objectives without a set time limit and broken down into priority goals to be achieved by 2015.

300. One long term objective of the ANDT strategy is "Protecting children against the harmful effects of alcohol, narcotic drugs, doping and tobacco", since actions to protect children from their own or others' harmful use of ANDT make up the basis of health promoting and preventive ANDT efforts.

The occurrence of abuse

301. Within the framework of the ANDT strategy, extensive work is being done to develop national indicators and a structure for follow-up and evaluation. This includes follow-ups of consumption and abuse trends, of medical and social damage as well as of activities and measures.

302. The Government has asked the Karolinska Institute to carry out a pilot study of the extent of abuse and addiction to ANDT in the population, as well as the extent of damage to others from abuse, i.e. those who suffer negative consequences of ANDT as third parties. If the pilot study is successful, a baseline measurement of problematic abuse in Sweden will

be carried out, and will become an important factor for following up state initiatives in the area and the ANDT strategy as a whole.

303. Every year the Council for Information on Alcohol and Other Drugs (CAN) conducts national school surveys in year 9 and 11, the second year of upper secondary school. The purpose is primarily to highlight the development of pupils' drug use over time, but comparisons between different groups and regions are also presented.

304. The share of alcohol users among school pupils has decreased. Since 2000 the trend among pupils in year 9 has been clearly downward. In the 2011 survey the share of alcohol users among both boys and girls was smaller than in previous years, at 55 and 59 per cent respectively. These are the lowest recorded levels since the surveys began. The share of alcohol users among pupils in year 11 has also been decreasing since surveys began in 2004. In the 2011 survey just over 40 per cent of year 9 pupils and about a sixth of year 11 pupils stated that they do not drink alcohol.

305. The share of pupils in year 9 who stated that they had tried drugs on at least one occasion between 2005 and 2008 was about six per cent. In 2009 that share grew to nine per cent among the boys and seven among the girls. In subsequent surveys the share has remained more or less at those levels. In year 11 the share of pupils who say they have tried drugs at least once is bigger than in year 9. In the 2011 survey 20 per cent of boys and 14 per cent of girls stated that they had used drugs. Among the boys the share has grown somewhat over the last two or three surveys, while the share among the girls has remained fairly constant.

306. The share of smokers grew smaller at the beginning of the 2000s. During the 2005-2009 period there was a slight increase among boys in year 9, while the share of smokers remained relatively unchanged among the girls. In the 2010 survey smoking again decreased somewhat among both boys and girls, and in the 2011 survey this downward trend continued by a few percentage points in year 9. In year 11 too the share of smokers has remained fairly unchanged since 2004, though it has been at a higher level than for year 9 every year. As in year 9 there are more girls than boys who smoke in year 11.

307. See also annex 1, paragraphs 74-78.

Information about harmful effects

308. Increasing awareness throughout the population about the health effects of ANDT use is another priority goal of the cohesive strategy. The Government has instructed the National Institute of Public Health to carry out information campaigns, in particular about alcohol and drugs, during the strategy period – i.e. until 2015 – in order to increase awareness throughout the population about the harmful effects of abusing alcohol and drugs. An important ongoing information campaign is about peddling of alcohol to minors. This campaign is being carried out by regional actors with regionally specific data at their disposal. The information is spread locally by county administrative boards, municipalities and civil society in cooperation. The National Institute of Public Health has a key role as knowledge centre, for project management, follow-up and evaluation. The primary target group is parents and other adults. Since the most common way that young people get hold of alcohol is through older siblings and friends, they are an important target group in the continuing work against peddling of alcohol.

309. A priority goal of the strategy is for fewer children to be born with damage caused by alcohol, drugs, doping or tobacco. The Government's objective is that all parents-to-be receive information, and if necessary counselling, about the damage that alcohol, drugs, doping and tobacco use can cause to the foetus. The National Institute of Public Health has been instructed to support the information efforts by maternity and pediatric care about the risks of alcohol, drugs, doping and tobacco during pregnancy as well as skills development

within the profession. These efforts are to be based on evidence and previous experience and to be carried out in accordance with the Government's ANDT strategy. The National Institute of Public Health and the National Board of Health and Welfare have been asked to submit a joint proposal for how ANDT information should be spread in maternity and pediatric care in the future. For example, how quality assurance of the activity and support to the profession by means of skills development, information spread and new research etc. is to be done.

310. The National Institute of Public Health also distributes state funds each year to regional and local actors for preventive measures and local information campaigns regarding alcohol, drugs, doping and tobacco.

A health promoting school

311. A priority goal is A health promoting school. In 2011 the Government commissioned the National Agency for Education to produce and offer training programmes with the aim of supporting schools' ANDT teaching. The target group was head teachers and other staff at compulsory and upper secondary schools. This also includes reviewing the ANDT teaching that is being done, making an inventory of support material available in the area and when necessary produce and spread new support material to school principals. The commission is ongoing between 2011 and 2014.

Support initiatives

312. The Social Services Act stipulates that the social welfare committee shall endeavour to ensure that children and young people grow up in secure conditions and that it shall ensure, in close cooperation with families, that children and young people that risk coming to harm receive the protection and support they need (see paragraph 213).

313. A national development project for support to children as well as close relatives has been initiated. A priority goal of the ANDT strategy is that children in families with substance abuse, mental illness or mental disabilities, or where violence (against children and/or close relatives) occurs are to be offered appropriate support. This requires actions within the remits of several authorities. When a parent has substance abuse problems, mental difficulties, or when violence occurs in the family, this affects the entire family, not least the children. About 60 per cent of the clients in substance abuse and addiction care are estimated to be parents of children under the age of 18. A more family oriented approach therefore needs to be developed in primary care, substance abuse and addiction care, adult psychiatric care and the social services. At the same time, the child's right to protection must always be at the centre of concerns. The objective is for all children and young people in the target groups to receive appropriate support, which usually implies that parents and professionals working in environments with children are also offered help.

314. In 2011 the Government asked the National Board of Health and Welfare to coordinate and encourage, in consultation with the National Institute of Public Health and the Swedish Association of Local Authorities and Regions, the long-term national development of support to these children during the period between 2011 and 2014. Most of the actions are about developing support to children in families with substance abuse and mental illness, and strengthening the family perspective in care services.

315. For the National Board of Health and Welfare the main focus is initially on supporting health and medical services to implement the provisions in the Health and Medical Services Act (1982:763) and the Patient Safety Act (2010:659), which state that health and medical services must pay particular heed to a child's need for information, advice and support if the child's parent or another adult with whom the child resides

permanently has a mental disorder or a mental disability, a serious physical illness or injury, or abuses alcohol or some other addictive substance, or dies unexpectedly.

316. The focus for the National Institute of Public Health is on skills building and the importance of producing evidence for the actions undertaken. The Institute is to support knowledge and quality development in order to ensure that the actions undertaken meet the children's needs and improve their situation. The National Institute of Public Health is also to provide knowledge and method support to local and regional efforts, and encourage activities that contribute to further knowledge development. In 2012 the National Institute of Public Health is also to conduct a survey of content and quality in the support actions carried our preventively for the target group.

317. For the overall programme of actions, an agreement has been reached between the Government and the Swedish Association of Local Authorities and Regions about supporting the development of a reinforced child and parent perspective in substance abuse and addiction care. Parent support specifically for this group of parents will be developed and implemented within the framework of the agreement.

318. In 2012 a survey will be conducted of what kind of parent support is offered to the social services' clients and to patients in health and medical services' in-patient and out-patient care. Additionally, a specialised training programme for staff in substance abuse and addiction care will be carried out, and all counties will receive support for implementing methods to develop parent role support for adults in substance abuse and addiction care.

319. During 2012 the National Board of Health and Welfare will produce a knowledge base of preventive actions for pregnant women with alcohol and drug abuse problems, including multiple substance abuse and substitution treatment. A survey is also to be conducted of children born with such injuries, and of the support offered to these children.

Efforts to combat female genital mutilation

320. Female genital mutilation is unacceptable and is prohibited and criminalised in a specific Swedish law from 1982. The law also criminalises those who have carried out genital mutilation, or had it carried out, in another country, even if the act is not a punishable offence in that country.

321. In 2010 a revision of the rules on statute of limitation for genital mutilation committed against a child was made. The period of limitation begins to run on the day the child turns, or would have turned, 18 years of age (see paragraph 204).

322. The National Centre for Knowledge on Men's Violence Against Women (NCK) at Uppsala University has been commissioned by the Government to compile, develop and spread knowledge about men's violence against women, violence in same-sex relationships and honour related violence and oppression. NCK has produced a knowledge and research overview of female genital mutilation in Sweden with the purpose of strengthening preventive efforts. The overview was presented in 2011 and is being processed by the Government Offices.

323. The National Board of Health and Welfare retains its running responsibility for spreading information and training material directly to citizens but also to professional categories across the country.

324. For further reference see Sweden's fourth report, paragraphs 184-186.

Children with parents in custody

325. Under provisions in the new Act on Imprisonment (2010:610) and Act on Detention(2010:611), which came into force in 2011, the Prison and Probation Service may in individual cases allow a prisoner to be joined by his or her infant. A new requirement is that granting such permission must be on condition that it is in the child's best interests. The provision has also been formulated in a gender-neutral way. For the purposes of the provision, "infant" means a small child in the first few years of its life. In order to determine, in individual cases, what is in the child's best interests, the Prison and Probation Service must consult with the social services before a prisoner is granted permission to be joined by his or her infant.

326. The Prison and Probation Service arranges parenting courses for prisoners who have children. The purpose of the courses is to help prisoners maintain or create a good relationship with their children. See paragraph 209 and annex 1, paragraph 79.

VII. Education, leisure and cultural activities (articles 28, 29, 30 and 31)

The right to schooling

327. *The Committee recommended continued efforts to ensure that all children enjoy the right to education, including children without residence permits, e.g. "children in hiding" and undocumented children (cf the Committee's concluding observations 2009 paragraphs 54-55).*

328. The Government has held an inquiry into the right to education etc. for children residing in the country without a permit. Two inquiry reports have been circulated for comment: Schooling for children who are to be refused entry or expelled (SOU 2007:34) and Schooling for all children (SOU 2010:5). The Government has reached a framework agreement on migration issues with the Green Party. This includes the agreement that the right to education is to be extended on the basis of the proposal in the most recent inquiry.

The right to education for children and young people in HVBs and special supervisory homes

329. Some of the children and young people in special youth homes interviewed by the Ombudsman for Children (see paragraph 230) feel they don't get enough schooling (see annex 2 paragraph 11). Research shows that school achievements are a key factor for the high excess risk of unfavourable development the placed children may become subject to later in life. The Government has instructed the National Board of Institutional Care (SiS) to present a separate report on its work concerning the schooling of children and young people. SiS has drawn up a timetable for compulsory schooling that includes a minimum of 23 hours of lessons per week and which began applying on 1 January 2011. Its objective is that young people who are not of compulsory school age should also be offered a full school day. In 2011 SiS also decided that school activities will run during the summer for those pupils who wish to attend. In order to create flexible forms for education and make better use of the teaching resources that exist at the different special youth homes, SiS is also working to develop a web based teacher platform. SiS is working to strengthen cooperation with social services and schools on pupils' schooling. To this end it is running a project entitled Activity Development in Cooperation. The project is aimed at coordinating efforts for young people's schooling during their time at special youth homes. The municipality is drawing up an action plan to clarify cooperation and the division of

responsibilities before, during and after the pupil's placement with SiS. Corresponding action plans are being drawn up at SiS' institutions. A follow-up of the 2010/2011 academic year shows that 73 per cent of young people who are of compulsory school age and 62 per cent of those who are not participated in the schooling they were offered.

330. In September 2011 the Government appointed a special inquiry to review regulations regarding teaching at HVBs and supervisory homes and in hospitals, in order to ensure that pupils receive the education they are entitled to. The inquiry is also to look at whether distance learning could be an alternative to regular teaching in special cases. The results of the inquiry are to be presented no later than 15 November 2012.

Young parents' possibilities of finishing their education

331. In 2011 the Government instructed the National Board of Youth Affairs to implement measures with the aim of promoting young parents' possibilities of finishing their compulsory and upper secondary schooling. The programme of measures was presented in March 2012 in the report Young parents' possibilities of finishing their education (The National Board of Youth Affairs – Publications, 2012). Within the framework of the programme, the National Board of Youth Affairs has produced a support and information package for schools, School pregnancies and what schools can do, which presents statistics showing that young people who become parents early – between the ages of 15 and 19 – are considerably less likely than their peers who did not become parents to have finished a three-year upper secondary education by the time they turn 25. In the report, the National Board of Youth Affairs also identifies a number of structural factors affecting young parents which make it more difficult to implement measures promoting their possibilities of finishing their education. Examples of such factors include the municipal follow-up responsibility, time for a preschool place, the young parent's network and, perhaps above all, their financial circumstances.

332. In 2011 the Government appointed a special inquiry to produce proposals for how financial aid to pupils in upper secondary school can be modernised and made more focused and effective, and how those currently studying with the help of activity allowance or extended child allowance might be supported through the student aid system. The inquiry is to suggest how the education and family policy objectives of financial aid to pupils could become more focused, and to make suggestions for how the system should be set up. Further, the inquiry is to determine whether financial aid should include a means tested component, and to survey the financial situation of young parents who are studying and if necessary determine whether financial aid should include a supplement for pupils with children or if allowances should be paid by means of other public support. The inquiry is to present its report no later than 30 June 2013.

Vocational guidance

333. *The Committee recommended that Sweden strengthen measures supporting adolescents to acquire the vocational competencies and qualifications required to find an occupation (cf the Committee's concluding observations 2009 paragraph 56-57).*

334. In the autumn of 2011 there was a reform to Swedish upper secondary education. The reform involved a series of measures to raise the quality of upper secondary vocational education. Content and study options have been updated and apprenticeships introduced. The time for specialisation in the occupational subjects has been increased. The labour market connection has been strengthened and national councils – with representatives from industries and for employer and employee organisations – have been introduced to raise quality and ensure that course content is developed to better meet the needs of the labour market.

335. Under the Education Act, pupils in all forms of schooling except preschool and preschool classes (an introductory school year for sixyear- olds) are to have access to staff qualified to meet their needs for guidance about choices regarding future education and occupation. Those intending to begin an education are also to have access to guidance. Under the new Education Act, which came into force on 1 July 2011, requirements for open-ended employment as study and occupational counsellor have also been made more stringent. Applicants are now required to have qualifications intended specifically for such counselling activities.

Knowledge about human rights

336. *The Committee recommended that Sweden incorporate the Convention and other relevant human rights treaties in the curricula in the context of the new Education Act, and strengthen such education in both compulsory and upper secondary school (cf the Committee's concluding observations 2009 paragraphs 54-55).*

337. The curriculum for compulsory schooling (Lgr 11) specifies that human rights and the rights of the child according to the CRC are to be included in teaching of the social science subjects (see paragraph 62).

338. The preschool curriculum (Lpfö 98, revised in 2010) specifies that it is an important task for preschool education to convey and establish respect for human rights. Every person working in preschool education is to promote respect for each human being's individual worth (paragraph 64).

339. The syllabus for social studies in upper secondary school specifies that teaching is to give pupils the opportunity to develop knowledge about issues concerning power, democracy, equality and human rights including children's and young people's rights in accordance with the Convention on the Rights of the Child (see paragraph 63).

Bullying

340. *The Committee recommended strengthened measures to combat bullying, including new forms of bullying and harassment outside classrooms or school yards by mobile phone and in virtual meeting places, with special attention to children with disabilities and of foreign origins, and to ensure the participation of children in the initiatives aimed at reducing bullying (cf the Committee's concluding observations 2009 paragraphs 58-59).*

341. The Government's goal is for schools to be safe and secure places for all pupils and all staff, which is also in keeping with the Government's strategy for strengthening children's rights. No-one is to be subjected to degrading treatment. Regulations regarding the degrading treatment of children and pupils are specified in Ch. 6 of the Education Act (2010:800). The share of pupils who feel that they are degraded is relatively low in Swedish schools by international comparison: 2 per cent in upper secondary school, 6 per cent in compulsory school (years 7-9), while among younger children (years 4-6) 3 per cent feel that they are degraded. The total share of pupils who feel degraded at school has remained fairly constant over the past 20 years.

342. Under the Education Act, the school and responsible authority have far-reaching responsibilities for investigating reports about degrading treatment, applying measures to ensure that the degrading treatment stops, and following up and evaluating the applied measures. Schools are further obliged to carry out preventive measures and ensure that an equal treatment plan is drawn up every year together with the pupils.

343. As mentioned earlier, the Child and School Student Representative (BEO) investigates reports about degrading treatment and may also represent individual children and pupils in a court of law. BEO is further charged with providing information about efforts to combat degrading treatment (see paragraphs 113 and 202).

344. The Government has commissioned the National Agency for Education to offer further training for school staff in order to strengthen the school's underlying values and efforts against discrimination and degrading treatment. This training is to be based on Swedish and international research in the area and pay particular heed to the importance of a gender perspective when choosing measures against bullying and the situation for young HBT persons. Within the framework of this commission the National Agency for Education is further to compile and spread information about tried and tested methods for prevention and remedy. The Government has earmarked SEK 40 million for the commission between 2011 and 2014. Results are to be presented no later than 20 January 2015.

National minorities' right to their culture

A new strategy for minority policy

345. In June 2009 the Swedish Parliament passed the government bill "From recognition to empowerment – the Government's strategy for national minorities (bill 2008/09:158, leg. report 2008/09:KU23, Riksd. comm. 2008/09:272). The new strategy is being implemented as of January 2010. The aims of the strategy include adopting a coordinated approach to minority issues by making minority policy goals clear as well as clarifying the responsibilities of the state and municipalities, and introducing a follow-up system. The strategy includes measures to ensure better compliance with Council of Europe minority conventions, better follow-up of the implementation of minority policy, counteract discrimination against and the vulnerability of national minorities, strengthen the national minorities' empowerment and influence, and promote the preservation of national minority languages.

346. The legal regulation of national minorities' rights has been made clearer by means of the new Act on National Minorities and Minority Languages (2009:724). The act came into force on 1 January 2010 and applies throughout the country. Better constitutional protection

347. The change to Sweden's Instrument of Government that came into force on 1 January 2011 also provides better protection for national minorities. In December 2009 the Government tabled the bill "A reformed constitution" (bill 2009/10:80). The bill's proposals included changing the provision in Ch. 1 Section 2 of the Instrument of Government on protection of certain minorities. The proposal meant that the Sami people were mentioned specifically in the laying down of objectives, in order to make a clearer statement that the Sami are a native people and not just a national minority. The bill also proposed that the laying down of objectives about the responsibility of the public sector in promoting the possibilities for minorities to maintain and develop their own cultural and community life be made compulsory in order to reflect Sweden's commitments under e.g. the Council of Europe framework convention on protection of national minorities. Children's development of a cultural identity and their own minority language are to be promoted in particular. Information about the rights of the child

348. In December 2009 the Government allocated SEK 500 000 to the Ombudsman for Children for, among other things, the translation of the CRC into the national minority languages Meänkieli, Sami, Romani and Yiddish, as well as into varieties of these. The Government's rationale for its decision included the argument that since knowledge of Swedish varies among both children and adults in the minority language groups, translations of the convention are justified. Having access to the CRC in one's own

minority language can facilitate more in-depth discussion and reflection regarding issues linked to the CRC which are important for the specific group. The translations can also be seen as part of strengthening national minorities' possibilities for influence, and of supporting the historical minority languages so that they are kept alive (see paragraph 65).

Knowledge of, and the right to, language and culture

349. The Language Act (2009:600) embraces both children and adults. The Act states that Swedish is the principal language in Sweden. That means that Swedish is the common language in society that everyone resident in Sweden is to have access to and that is to be usable in all areas of society. Under the Act, the public sector has a special responsibility for the use and development of Swedish. The Act also specifies Finnish, Yiddish, Meänkieli, Romani and Sami as national minority languages, and that the public sector is to have a special responsibility for protecting and promoting these languages as well as Swedish sign language. Anyone who belongs to a national minority is to be given the opportunity to learn, develop and use the minority language. The language in the public sector is to be cultured, simple and comprehensible.

350. As a result of the new Education Act (2010:800) the provisions on native language teaching were shifted from ordinance to law. As of 1 July 2008, the same expanded rights to being taught in one's native language have been introduced in respect of all national minority languages.

351. Additionally, the Institute for Language and Folklore distributes state subsidies intended to give individuals better opportunities for acquiring and using their national minority language by improving their reading and writing skills in the minority language. In this case as well, measures directed at children and young people are promoted.

352. In addition to this, the National Board for Youth Affairs annually distributes support to youth organisations that represent the national minorities and the Sami native people. For 2012, the subsidy totals just over SEK 2.5 million.

353. The revised curriculum for compulsory school that entered into force on 1 July 2011 highlights the national minorities more clearly than before. One of the overall knowledge goals is that schools are to ensure that each pupil, on completing compulsory schooling, has obtained knowledge about the culture, language, religion and history of the national minorities. Among the subject syllabuses, national minorities are highlighted in Swedish, History and Civics. Revised subject programmes for upper secondary school apply for education begun after 1 July 2011. The core content of the Swedish 2 course includes language conditions in Sweden and the other Nordic countries, e.g. language legislation, minority languages and dialects.

354. In 2011 the Government decided to introduce a special programme of Jewish studies in compulsory school. The programme is aimed at increasing opportunities for compulsory school pupils who belong to the Jewish national minority to deepen their knowledge about their minority's culture, history, traditions and religion. Pupils are to be offered the choice of being taught in Hebrew and Yiddish.

355. Within the framework of the strategy for minority policy the Sami Council receives, as of 2010, SEK 6 million to set up two Sami language centres in the southern Sami area, to run proactive, outreach language programmes among the Sami. These programmes are to give special priority to measures directed at children and young people.

356. Sami school is to offer the children of Samis an education with a Sami component and contribute to the preservation and development of the Sami language and Sami culture. Sami teaching also features as an integrated part of compulsory school by means of agreements between municipalities and the Sami School Board. The Sami School Board's

grant for integrated Sami teaching was increased by SEK 1 million as of 2010, in order to improve Sami children's opportunities of acquiring the language.

357. Since 2007 the Government has carried out several initiatives to boost teacher training in national minority languages, in order to guarantee the supply of teachers who can teach, and teach in, the national minority languages. In order to strengthen this further, the National Agency for Higher Education was asked in 2010 to make proposals for how the supply of teachers who can teach, and teach in, national minority languages can be increased and, if deemed appropriate, suggest changes to the current division of responsibilities. The resulting report is at present being processed by the Government Offices.

Roma strategy

358. On 16 February 2012 the Government issued a written communication entitled "A coordinated and long term strategy for Roma inclusion, 2012-2032 (comm. 2011/12:56). The twenty-year strategy is to be regarded as a reinforcement of the minority policy that applies for the five national minorities Jews, Roma, Sami and Sweden and Tornedal Finns. The overall goal of the twenty-year strategy is for the Roma who turns 20 in 2032 to have the same possibilities in life as any non-Roma. The then 20-year-old Romas' rights should be safeguarded in ordinary, everyday structures and areas of activity to the same extent as the rights of 20-year-olds in the rest of the population. The target group is above all those Roma who are socially and economically excluded and who are subject to discrimination. Women and children have special priority.

359. The Government has earmarked SEK 46 million between 2012 and 2015 (bill 2011/12:1), to be used primarily for measures that support improved conditions for education and work. The measures in the strategy are applied on the basis of human rights, with particular emphasis on the principle of non-discrimination and equality. It is further the Government's view that special consideration should be given to the situation of Roma children, on the basis of the CRC, in all areas that concern children.

360. In its written communication, the Government announced a number of measures to improve the education situation for Roma children, such as increased knowledge of the situation of Roma children and pupils in preschool, preschool classes, compulsory school and upper secondary school, training of bridge-builders and further teaching materials in Romani. Teaching materials at the compulsory school level about the national minorities were also announced.

361. On commission from the Government, the Living History Forum investigated in 2011 how Roma culture and language could achieve a stronger position than they have today. The proposals are currently being processed by the Government Offices.

Culture and leisure

Children's and young people's culture

362. The Government's objective for state support to children's and young people's culture is to increase possibilities for children and young people to participate in cultural life and to be given opportunities to create and express themselves. The national objectives for cultural policy adopted by the Parliament in 2009 state that children's and young people's right to culture are to be given particular attention. Cultural institutions financed by the state have been instructed since 2007 to integrate a children's rights perspective into their activities. In order to strengthen these efforts further, these institutions have been asked to draw up strategies for their activities aimed at children and young people. The strategies presented show that many use the CRC as the basis for these activities. They also

describe how methods can be devised and implemented for children's influence and participation in the activities, as well as who is responsible for implementation. The strategies' application in activities will be followed up on an annual basis, as part of the Ministry's dialogue with the institutions.

363. The Parliament adopted new national objectives for cultural policy in 2009. These objectives govern state cultural policy, but are also intended to inspire and guide policy in municipalities and county councils. The objectives define culture as a dynamic, challenging and independent force, based on freedom of expression. To achieve these objectives, cultural policy is to pay special heed to children's and young people's right to culture (bill 2009/10:3, leg. report 2009/09:KrU5, Riksd. comm. 2009/10:145).

364. In order to strengthen cooperation between schools and culture professionals, and thereby promote the right of all children to culture and personal creativity, the Government has established a grant programme, Creative School. This is an incentive grant of SEK 150 million per year directed towards years 1-9 in compulsory schools. Nearly every municipality in the country has applied for the grant at least once. According to the Swedish Arts Council's follow-up of the grant ("Creative School – a current analysis", the Arts Council's series of publications 2012:2), pupils have participated in planning the projects in 80 per cent of the cases. The responsible school authorities say that the measures have contributed to an improved cooperation climate in schools and that pupils' self-esteem and self-confidence have grown (see paragraph 147).

365. In its role as distributor of grants, the Swedish Arts Council has a special responsibility for state support to children's and young people's cultural activities across the country. The Arts Council collaborates with several agencies and organisations within the area. To increase knowledge and national coordination in this field of knowledge, the Government commissioned the Arts Council to set up a national website about children's and young people's culture, and in 2012 the Arts Council introduced the Bolla website. Bolla's target group is primarily adults who work with children's and young people's culture, whom the website offers good examples, current events and research in the area. Among other things the website describes how the CRC is implemented at the national, regional and local levels, and how to take concrete steps to apply the CRC.

366. The Agency for Cultural Analysis was formed in 2011 to support the Government with documentation, analysis and recommendations as a basis for developing and reviewing cultural policy. Upcoming reports and analyses from the Agency dealing with children's and young people's culture will increase knowledge in the area.

367. A report by the National Board of Youth Affairs, "When, where and how in youth culture – an analysis of young people's cultural activities during leisure time" (the National Board of Youth Affairs' series of publications 2011:1) has contributed new knowledge to the area. Among its findings is that many young people say that they have boosted their self-confidence as a result of their cultural activities: they have made new friends and improved their health as well as their results at school.

368. The new curriculum for compulsory school, preschool classes and leisure time centres, Lgr11, states that work and play are essential components of active learning. Schoolwork is to highlight intellectual as well as practical, sensuous and aesthetic aspects. Drama, rhythmics, dance, music-making and creating in image, text and form are all to feature in school activities. The capacity for personal creativity is among the skills the pupils are to acquire.

369. Studies show that there are tendencies towards a negative development in recent years regarding reading comprehension, reading and interest in literature among children and young people. This adds a special urgency to the state's initiatives encouraging children to read. Since 2006, subsidies to measures promoting reading have doubled,

totalling SEK 13 million in 2011. The literature inquiry that was appointed in 2011 has been instructed to submit proposals for how literature's position can be strengthened, as well as to assess and propose measures to meet the challenges that technology development brings. The inquiry's report is to be presented no later than 1 September 2012.

370. The Libraries Act (1996:1596) states that public and school libraries are to devote special attention to people with disabilities and to immigrants and other minorities, e.g. by offering literature in other languages than Swedish and in forms specially adapted to the needs of these groups. The Ministry of Culture is currently carrying out a review of the Libraries Act.

371. In 2010 the Parliament passed a new Education Act (2010:800) which states that all pupils are to have access to a school library. This applies equally to schools whose responsible authorities are either municipal or private.

372. See also annex 1, paragraph 89.

Children's and young people's sports

373. All activities within children's and young people's sports that receive state subsidies should comply with the CRC. A children's rights perspective should therefore underlie state support of sports. Sport is an important arena for a large number of children and young people in Sweden. At its best, sport contributes to the strengthening and development of the concept of the equal worth of all children. The term "child rights perspective" in sport should be interpreted on the basis of the CRC, which enshrines the respect for the individual girl's or boy's full human worth and the intrinsic value of childhood. In order to understand what a children's rights perspective implies for their particular activity, leaders at various levels in sport must be knowledgeable about the CRC and have an understanding of its application so that they can turn a child rights perspective into practice in their activities. In view of this, the Government believes it is important that subsidies to children's and young people's activities are used to support such activities as are being run from a child rights perspective, and that only those sports associations who run their activity in keeping with the CRC should be given access to state support.

374. The National Centre for Research in Sports (CIF) has been appointed by the Government to follow up state support to sports. The thematic analysis for 2010 focused on the extent to which children's and young people's sporting activities heed and promote a child rights perspective so that, for instance, children's and young people's opportunities for influence and participation increase. One of the most important conclusions of the analysis is that the CRC is not a rule book but an attitude. All children do not have to be treated in exactly the same way, and every match need not end in a draw. It is a reminder, however, that adults always have to devise sporting activities based on children's needs, and that they have to reflect, dare to listen and be receptive to young people's own ideas, views and criticism. A special section of the report is devoted to children's and young people's participation. The conclusion is that the sports institutions do not always do what they themselves want to do according to their manifesto "Sports with a will".

375. See also annex 1, paragraphs 91-92.

VIII. Special protection measures (articles 22, 30, 32–36, 37 (b) and (d), 39 and 40)

Asylum seeking children

376. *The Committee urged that support be provided to children living in reception centres, as well as adequate psychological and psychiatric care for traumatised asylum seeking children, and that asylum seeking children who have been involved in armed conflict receive all appropriate assistance for their physical and psychological recovery and social reintegration. Sweden was further urged to take measures to ensure the appointment of a temporary guardian (or "trustee") for every unaccompanied asylum seeking child within 24 hours of the child's arrival in Sweden, and that efforts be strengthened to ensure the suitability and adequate qualifications of such guardians (cf the Committee's concluding observations 2009 paragraphs 62-63 and the Committee's concluding observations 2007 paragraphs 21 and 24).*

377. During 2010 the Ombudsman for Children met with a number of unaccompanied minors living in group accommodation in allocation municipalities. After the meetings the Ombudsman noted that many unaccompanied asylum seeking children feel lonely and alienated, both during the asylum application process and after receiving a decision from the Migration Board. The Ombudsman also visited transit accommodation for unaccompanied asylum seeking children in reception municipalities and was made aware that several children had been forced to wait a long time – close to several months at one placement in one allocation municipality.

378. Asylum seekers are registered in the Migration Board's reception system and are subject to the Reception of Asylum Seekers and Others Act (1994:137). Unaccompanied children are looked after by municipalities and covered by the rules of the Social Services Act. The Social Services have a special responsibility for children. Ch. 5, Sections 1-3 of the Social Services Act contains special provisions on the social welfare committee's responsibilities for children and young people. When measures concern children, the best interests of the child are always to be given special consideration. The responsibility applies equally for all children resident in the municipality, regardless of whether they have residence permits or not. In other words, the Social Services Act applies to all children, regardless of the child's nationality and residence status, and regardless of whether the child is in Sweden on a short visit or in transit. Health and medical care for asylum seekers is provided by county councils under the Health and Medical Care for Asylum Seekers and Others Act. According to the Health and Medical Care for Asylum Seekers and Others Act (2008:344), asylum seeking children are to be offered the same health and medical care, and dental care, as children resident in Sweden.

379. After arriving in Sweden, unaccompanied children can make themselves known to the authorities in any municipality in the country. If a child without known guardians has made itself known to the Migration Board and applied for a residence permit, the Board notifies the social services in the municipality in question that an unaccompanied minor has arrived. The child is then given temporary accommodation in that municipality pending the Migration Board's allocation of the child to a municipality which will provide the child with accommodation during the asylum application process.

380. On 1 March 2011 the Migration Board changed the routines for allocation of unaccompanied asylum seeking children. These new routines mean that asylum seeking unaccompanied children immediately, within 1-2 days, become reallocated from the reception municipality, or the municipality in which the child made itself known to the Swedish authorities, to an allocation municipality, which is a municipality that has an

agreement with the Migration Board about receiving asylum seeking unaccompanied children, or a municipality in which the unaccompanied child has stated that it has a relative. If there is no vacant place in any allocation municipality, or if the child does not know if it has any relatives in Sweden, no immediate allocation can be made and the child in question will then, in accordance with the routine, not be allocated. In such cases the child will remain in the reception municipality's care during the asylum application process, and will be provided with a permanent residence there if a residence permit is granted. The reception municipality thus becomes the child's "home municipality".

381. Because children who arrive in Sweden without parents or other guardians may have a guardian somewhere else, e.g. in their home country, new guardians cannot be appointed. Instead a guardian ad litem is appointed.

382. According to the Act on Guardians Ad Litem for Unaccompanied Children (2005:429) minors arriving unaccompanied to Sweden, or who have become unaccompanied after arriving, and who are applying for a residence permit in Sweden, are to be appointed a guardian ad litem to take the place of the child's guardian. The guardian ad litem is to protect the child's rights in both legal and financial terms, and is responsible for the care of the child. The guardian ad litem is also to apply for a residence permit for the child, unless this is manifestly unnecessary. The chief guardian of the municipality where the child is staying is the authority that appoints a guardian ad litem following an application by the Migration Board and the social welfare committee. The chief guardian may also raise the issue on his or her own initiative. The principle should be that no child must be without a representative during its time in Sweden. The appointment of a guardian ad litem is to be done as soon as possible.

383. The social welfare committee's statutory responsibility for children who need support and protection applies regardless of where the child is and for what reason. However, the number of asylum seeking unaccompanied children has grown since 2006, when the Migration Boards began entering into agreements with municipalities about allocating accommodation for the children. A shortage of places in group accommodation, emergency solutions and extended stays in reception municipalities amount to an inappropriate situation for the children and for the reception municipalities. In order to find a solution to the fundamental problem of a shortage of accommodation places and the increasing costs for receiving unaccompanied children, two inquiries have been conducted (SOU 2011:64 Asylum seeking unaccompanied children – A review of reception, and Ds 2011:34 Review of compensation payments to municipalities for the reception of unaccompanied children). The first of these reviews suggests that municipalities that do not have reception agreements with the Migration Board should also be able to receive unaccompanied children in order to resolve the issue of place shortages. Just as is the case today, reception of these children would first of all be based on voluntary agreements between the state and municipalities. The proposals are currently being processed by the Government Offices. See also annex 1, items 93-97.

Children in armed conflicts

384. *The Committee recommended that Sweden expedite its efforts to reform the Penal Code in order to strengthen national and international measures for the prevention of the recruitment of children for armed forces or armed groups and their use in hostilities (cf the Committee's concluding observations 2007 paragraph 11).*

385. The Commission on International Law has proposed a new Act on International Crimes covering genocide, crimes against humanity and war crimes (SOU 2002:98). The Commission's proposal was formulated on the basis of the Rome Statute of the International Criminal Court. Under the proposal, anyone who recruits children under the

age of 15 to armed forces, or uses them in battle, is liable to prosecution for a war crime. The report is currently being processed by the Ministry of Justice, and a bill is expected during 2012.

386. *The Committee encouraged Sweden to raise the minimum age for voluntary defence organisations from 16 to 18 years in order to fully respect the spirit of the Optional Protocol and to provide full protection for children in all circumstances. The Committee recommended that Sweden provide all voluntary defence organisations providing firearms and military-type training to persons under the age of 18 with adequate information and training on the provisions of the Optional Protocol as well as other relevant international standards (cf the Committee's concluding observations 2007 paragraph 15).*

387. In Sweden there are 18 voluntary defence organisations whose activities include total defence training for young people. This comprises training and association activities. The training is carried out on the basis of the associations' own statutes, needs and training programmes. The Government's view is that the youth activities of the voluntary defence organisations does not fall within the provisions of the Protocol. This is because it is not a question of voluntary recruitment to the armed forces. The activities are only intended to inform about and arouse an interest in total defence. None the less, the voluntary defence organisations' cooperation committee was informed about children in armed conflicts ahead of the ratification of the Optional Protocol to the Child Convention. The Government contacted relevant individual organisations as well as authorities. The voluntary defence organisations' cooperation committee was one of those organisations.

388. *The Committee recommended that Sweden ensure that its domestic laws, guidelines and practice on exports of arms and other military equipment explicitly prohibit the direct and indirect export of arms and military equipment to countries where persons who have not attained the age of 18 may take a direct part in hostilities as members of their armed forces, or armed groups that are distinct from the armed forces of a state (cf the Committee's concluding observations 2007 paragraph 17).*

389. Swedish military equipment may only be exported to states, or to a recipient authorised by the state. Respect for human rights is a core condition of Swedish export control regulations for military equipment. The regulations state that permission should not be given for export of military equipment to states in which extensive and gross violations of human rights occur. When examining an export application, an overall assessment must be made of all significant circumstances, in which an issue such as the use of child soldiers would carry great weight and very likely rule out the possibility of granting an export permit. Swedish exports of military equipment consist mainly of high-technology military systems such as jet fighters, submarines, combat vehicles, radars etc.

390. The Swedish Government has decided to appoint a parliamentary committee to examine Sweden's control of military equipment exports and its future framework. The commission's main aim will be to propose changes that make export controls to non-democratic states more stringent. The reasons for this are changes to the world around us as well as international processes in the area.

391. *The Committee recommended that Sweden continue to strengthen its financial support as well as other assistance to a full implementation of the Optional Protocol, including its multi- and bilateral activities to address the rights of children involved in armed conflict, with a particular focus on preventive work, as well as on the physical and psychological recovery and social reintegration of children who are victims of acts contrary to the Optional Protocol (cf the Committee's concluding observations 2007 paragraph 19).*

392. Sweden is a major contributor to UNICEF, including to the area of protection of children, children in armed conflict and child soldiers. The contribution to UNICEF's

regular budget will amount to SEK 480 million. In addition to this there are contributions via Sida to UNICEF's child protection focus area. The focus area aims to support the implementation of UNICEF's global strategy for protecting children from violence, exploitation and abuse. Sida initiated its support in 2009 and has so far contributed SEK 51 million. Sida plans to extend its support until 2013 and to contribute a further SEK 40-45 million. Sida also supports the work of Save the Children in the area of children in armed conflicts. Sweden also provides extensive annual support to the UN Secretary-General's Special Representative on Violence Against Children (see paragraph 205).

393. *The Committee recommended that Sweden systematically collect data on refugee, asylum seeking and migrant children within its jurisdiction who have been recruited or used in hostilities abroad. In this regard the Committee recommended Sweden to take note of its general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin (cf the Committee's concluding observations 2007 paragraph 25).*

394. Sweden has not applied any particular measures on account of the Committee's recommendation. The purpose of the recommendation is unclear, and Sweden would ask that the Committee expanded on the purpose of the recommendation. The systematic collection of data on asylum seeking children raises issues of processing and disclosure of data concerning the private affairs of individuals, i.e. issues of data protection and confidentiality of personal data.

395. *The Committee recommended that Sweden continue to provide its Armed Forces as well as personnel to be deployed to international operations with training activities on the Optional Protocol. The Committee recommended that Sweden develop systematic awareness raising, education and training programmes on the provisions of the Optional Protocol for all relevant professional groups working with and for children, such as teachers, authorities working with and for asylum seeking and migrant children coming from countries affected by armed conflict, lawyers and judges (cf the Committee's concluding observations 2007 paragraph 13).*

396. The Swedish Prison and Probation Service organises an international training programme for prison and probation officers who are going to participate in peace support operations, United Nations Prison and Probation officers course (UNPriPoc). The course, which is an introduction to UN and EU peacekeeping operations, includes modules about international norms for human rights, humanitarian law and international conventions.

397. The new syllabuses for compulsory school that apply as of the autumn of 2011 include a non-optional section about international law in armed conflicts to be taught as part of Civics. In upper secondary school as well, teaching about international law in armed conflicts – international humanitarian law and the protection of civilians in armed conflicts – is part of the core content of the first module in Civics.

398. The general guidelines published by the National Agency for Education emphasise the importance of updating knowledge among decision makers, officials and personnel responsible for newly arrived pupils. They need to have knowledge of current ordinances and of the international conventions that Sweden has ratified. In respect of education and schooling, the UN Convention on the Rights of the Child is a manifesto with consequences for how both municipalities and schools are expected to act when dealing with the schooling of newly arrived children and young people. It is therefore important that those affected at all levels have knowledge about what demands the CRC makes on the various activities.

399. The Optional Protocol on children involved in armed conflicts is included in teaching about the CRC, e.g. in the further training measures carried out within the

framework of the Government's agreement with the Swedish Association of Local Authorities and Regions (SALAR). For further reference see paragraphs 61-88.

400. *The Committee recommended that the initial report submitted by Sweden and these concluding observations adopted by the Committee be made widely available to children and their parents through school curriculums and human rights education, among other means. The Committee also recommended that Sweden make the Optional Protocol widely known to the public at large in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring (cf the Committee's concluding observations 2007 paragraph 27).*

401. Sweden's reports are published on the Government's website for human rights (see paragraph 7).

402. The Education Act (2010:800) states clearly that education is to be shaped in conformity with fundamental democratic values and human rights. Every person working in education is to promote human rights. The syllabuses for social science subjects expressly state that pupils are to be taught about the CRC and the rights of the child according to the CRC. This is also specified in the subject programme for Civics in upper secondary school.

Sexual exploitation, trafficking

National action plans

403. *The Committee recommended that Sweden fully implement the national action plans against sexual exploitation of children and against prostitution and trafficking in people for sexual purposes. The Committee was also concerned that Sweden does not have an overall strategy for the implementation of the Optional Protocol, and that measures taken to address the underlying demand factors leading to offences remain inadequate (cf the Committee's concluding observations 2009 paragraph 67 a and the Committee's concluding observations paragraphs 12-13).*

404. The action plan against sexual exploitation of children, which was presented in December 2007, contains a description of the work carried out in the area between 2001 and 2007 as well as ten measures initiated by the Government to further promote and strengthen efforts to prevent and combat sexual exploitation of children. One of those measures is a follow-up of the action plan. This involves both following up the individual measures and the action plan as a whole. A follow-up of the ten measures was conducted in 2010, in connection with the bill "Strategy to strengthen the rights of the child in Sweden" (bill 2009/10:232). A follow-up of the action plan as a whole, and a revision, will be carried out during 2012. The follow-up and its conclusions will provide the basis for the continued work to protect children and combat sexual exploitation of children, prostitution and trafficking of children.

405. The action plan against prostitution and human trafficking for sexual purposes extended until 2010. A concerted effort to combat all forms of human trafficking is the basic of policy in the area, but the Government judged that special measures were required to combat human trafficking for sexual purposes and that these issues required a special action plan. The action plan consisted of 36 tasks delegated to 100 different Government agencies and organisations and divided in to five areas: increased protection and support for those exposed, strengthened preventive work, improved quality and efficiency in the legal system, increased national and international cooperation, and increased knowledge. Special measures were directed at children and young people.

406. The action plan against prostitution and human trafficking for sexual purposes (until 2010) underlies the renewed tasks and continued efforts in equality policy. On

15 September 2011 the Government presented the communication "The direction of equality policy 2011-2014" (comm. 2011/12:3) to the Parliament. In it the Government describes the direction of equality policy during its term in office. Combating men's violence against women, including prostitution and human trafficking for sexual purposes, are top priorities in the Government's equality work. During the 2011-2014 period the Government is intensifying its efforts to prevent and combat sexual violence and other sexual abuse. A fundamental part of this is following up and assuring the sustainability of previously implemented measures. Several Government agencies have therefore been given (renewed) tasks which are deemed strategically important for creating the conditions for cooperation, knowledge development and good dissemination at the national and regional levels.

Coordination and evaluation

407. *The Committee urged Sweden to undertake concrete measures to strengthen its inter-agency coordination for addressing violations under the Optional Protocol and to establish a system for the monitoring and coordination of bodies responsible for the implementation of the Protocol (cf the Committee's concluding observations 2011 paragraphs 14-15).*

408. The coordination responsibility within the Government Offices for matters pertaining to the sexual exploitation of children lies with the Ministry of Health and Social Affairs. The Ministry of Education and Research coordinates equality policy and efforts to combat violence in close relationships.

409. The National Police Board is charged with being the national rapporteur on issues concerning human trafficking. The brief includes collecting data about the extent of human trafficking in Sweden and between Sweden and other countries. The National Criminal Police is the point of contact of the Swedish Police in international matters, and it collaborates closely with Interpol, Europol, police liaison officers etc.

410. The Stockholm County Administrative Board has been tasked (2011-2014) with coordinating, at the national level, work carried out by agencies against prostitution and human trafficking for sexual purposes, and with promoting improved cooperation between Government agencies, non-governmental organisations and other actors in the area.

411. Organisations in civil society contribute significant work, and the Government believes that cooperation and consultation with them is of great importance. Against the background of the presentation of the fourth set of concluding observations regarding Sweden by the Committee on the Rights of the Child, in June 2009, the Ministry of Health and Social Affairs held a meeting with the majority of the children's rights organisations and other concerned actors on the basis of the recommendations. The meeting identified a number of particularly urgent theme areas, on the basis of the recommendations, for an intensified dialogue with organisations within civil society and other concerned actors. One of these theme areas is the sexual exploitation of children (see item 38).

Data and research

412. *The Committee recommended that Sweden systematically collect data and information relating to sex tourism, including investigations, prosecutions and punishments, comprising data disaggregated by age, sex, geographical location and socio-economic background, and undertake qualitative and quantitative studies and analyses of the root causes, the prevalence of offences and effect of measures applied in prosecuting these offences (cf the Committee's concluding observations 2009 paragraphs 67 c and 69 b and the Committee's concluding observations 2011 paragraphs 6-7).*

413. Every year, official Swedish crime statistics present data on the number of reported cases of purchasing a sexual act by a child under the age of 18 and human trafficking of children under the age of 18 for sexual purposes and other purposes, respectively. Additionally, data is presented on reported cases of a) child rape, b) sexual exploitation of children, and c) sexual abuse of children. The data under a, b and c is divided into crimes against children under the age of 15 and against children aged 15-17.

414. Official criminal statistics presents incidents according to type of crime and relevant section of the law. There is no information in the statistics that makes it possible to discern whether the crimes have any connection with tourism. Development of statistics and methods is continuous. The extensive project which will mean the introduction of an electronic flow of information between authorities in the legal chain will eventually bring considerable scope for development of statistics, including more detailed presentations.

415. Follow-ups and studies of different kinds are conducted under various forms. Recently the National Council for Crime Prevention (Brå) followed up and evaluated the Government's action plan against prostitution and human trafficking for sexual purposes. In its report (2011:18) Brå makes the assessment that the Government has succeeded in its intention to increase awareness about the existence of these problems in Sweden and to get the issue on the agenda among those whose work brings them into contact with problems or may do so in the future. To that extent the action plan has had a clear impact. As a first step in efforts to reduce prostitution and human trafficking, and better support those exposed, this has been valuable. As a continuation of these efforts, Brå recommends that future measures be focused and intensified on the basis of better knowledge about the extent and character of the problems.

416. For further reference see paragraph s 40-44 and annex 1, paragraph 100-102.

417. *The Committee recommended increased research efforts regarding offenders and further measures to monitor and anticipate new and emerging risk situations of sexual exploitation of children (cf the Committee's concluding observations 2009 paragraph 67 b and the Committee's concluding observations 2011 paragraph 13 a).*

418. Within the framework of its terms of reference (see item 391), the Stockholm County Administrative Board has appointed an inquiry to carry out a survey regarding children subjected to human trafficking. The survey includes a countrywide compilation of existing experience regarding subjected children, and a compilation of how Government agencies have protected their legal certainty and their rights and interests. The survey will cover Swedish and foreign children who, in the period between 2009 and May 2012 inclusive, were identified as subject to human trafficking or to prostitution similar to human trafficking. Within the framework of this commission, the Stockholm County Administrative Board is also to distribute funding to development projects run by Government agencies or non-governmental organisations against prostitution and human trafficking for sexual purposes.

419. Between 2009 and 2010, the Crime Victim Compensation and Support Authority was tasked by the Government with distributing funding to research and other activities aimed at increasing knowledge about men's violence against women, honour related violence and oppression, violence in same-sex relationships, prostitution and human trafficking for sexual purposes. For the 2011-2014 period, the Government has commissioned the Crime Victim Compensation and Support Authority to distribute funding for research, method development and other similar initiatives aimed at increasing knowledge about men's violence against women, including sexual violence and other sexual abuse. This also includes knowledge about perpetrators and the effects of measures to prevent repeat offences among perpetrators of violent and sexual crimes. Increased knowledge is required in order to allow for the development, inter alia, of evidence based

working methods intended to improve the protection of and support for victims of crime. In this connection, support for children growing up in families where violence occurs is to be taken account of. The commission is to be completed and presented by 15 December 2014.

Education

420. *The Committee recommended that Sweden take measures to make the provisions of the Optional Protocol known among the public, particularly professionals working with or for children, including through appropriate media, educational and professional training campaigns (cf the Committee's concluding observations 2011 paragraphs 16-19 and the Committee's concluding observations 2009 paragraph 67 d).*

421. The County Administrative Board's commission (2011-2014) to coordinate, at the national level, work carried out by Government agencies against prostitution and human trafficking for sexual purposes includes continued operative method support and competence development measures for Government agencies, non-governmental organisations and other relevant target groups.

422. The Stockholm County Administrative Board, in collaboration with the National Method Support Team against Prostitution and Human Trafficking (Nationellt Metodstödsteam mot Prostitution och Människohandel, NMT) which coordinates the Government agencies working on the human trafficking issue in Sweden, has drawn up guidelines for this work. The guidelines, which are intended to serve as support in cooperation and processing of cases, are directed primarily at municipalities, county councils and Government agencies, but can also serve as support for non-governmental agencies involved with support to the victims of crime, for example. Special sections deal in particular with vulnerable children.

423. In September 2008 the Government instructed the National Police Board and the Swedish Prosecution Authority to strengthen the current operative measures against prostitution and human trafficking for sexual purposes, and to develop police and prosecution methods and competences in the area. These measures were intended to increase competence within the Police, improve cooperation with other agencies and organisations, and to raise both the number and the effectiveness of operative actions so that more crimes could be discovered and investigated. As a result, Police authorities in 2009-2010 increased the reporting of information on human trafficking and prostitution to the criminal intelligence service of the National Criminal Police. The Government initiative led to a sharp increase in both the number of reports of and investigations into human trafficking related crime, even if major differences remain between the different Police authorities. However, feedback to the National Police Board indicated that the number of received reports, opened investigations and legal proceedings concerning other human trafficking had increased more during the period than concerning human trafficking for sexual purposes.

424. In May 2011 the Government commissioned the Crime Victim Compensation and Support Authority to further develop and implement a training programme for improved reception of the victims of sex crimes in connection with police reports, preliminary investigations and trials. The training programme is to focus on the particular vulnerability and needs of children and young people in connection with these types of crimes, and on cooperation in sex crime cases. The programme is directed at police officers, prosecutors, judges and solicitors. The commission is to be completed and presented by 15 June 2014. The Government has additionally commissioned the Crime Victim Compensation and Support Authority to carry out training measures to ensure that children who have witnessed violence and other abuse in close relationships are made more visible in preliminary investigations, thereby improving their possibilities of receiving criminal injuries compensation as well as other support and protection. These measures are to be

directed at police officers and prosecutors. The commission is to be completed and presented by 30 December 2013 (see paragraph 535).

425. According to the Decree on Preliminary Investigations, children are to be heard by a person specially qualified for the task. This provision applies regardless of whether the child is the injured party, a witness or suspected of a crime. In police work, therefore, most investigations involving children are handled by specialised investigators. There is a national training programme for such specialised investigators comprising 15 weeks' training and based on the principle of safeguarding the best interests of the child. In the interests of keeping the knowledge and specialisation up to date, this further training is held every three years.

426. During 2010 and 2011 at least one prosecutor from most local public prosecution offices has attended a basic training programme on human trafficking crimes. The purpose has mainly been to provide tools for discovering situations in which there is reason to suspect that human trafficking is going on. This type of crime is processed at the international public prosecution offices, where training has consisted of experience seminars directed at those prosecutors specially appointed to deal with human trafficking crimes.

427. The handbook "Processing cases of abuse against children" is intended as guidance for prosecutors in how to apply a child perspective when investigating suspected crimes against children in an efficient and legally certain way. The previously mentioned training programme in processing cases of abuse against children is intended to give prosecutors a good grounding in how to investigate suspected crimes against children with the best interests of the child in mind, but without neglecting their obligation to objectivity.

428. The National Board of Health and Welfare has produced training material about support to children and young people – concerning children and young people who are paid for sex, children subjected to human trafficking for sexual purposes, and children who live with parents who sell sex. The aim is for professionals who come into contact with persons selling sex or who are subjected to human trafficking for sexual purposes better to be able to meet these individuals' need for support and assistance. The material is to provide staff in social services, health and medical care, youth clinics etc. with several tools for identifying, communicating with and drawing in children and young people who risk coming to harm or are coming to harm due to selling sex, children who are subject to human trafficking for sexual purposes and sexual exploitation, and children who come to harm due to living with an adult who sells sex. The training material is knowledge based, i.e. based on the best available knowledge, the experience based knowledge of professionals and individuals' experiences of selling sex. (see paragraph 125).

429. The National Board of Youth Affairs has a commission extending over several years to prevent sexual exploitation and exposure of young people via the internet. In 2008 the Government commissioned the National Board of Youth Affairs to apply measures to increase knowledge about sexual exploitation of children and young people via the internet and other interactive media. The commission, which was conclusively presented on 31 December 2010, consisted of four parts: (1) carrying out a study of the target group regarding experiences of and attitudes to sexual exposure and exploitation; (2) producing method materials to be used by secondary school teachers; (3) organising training directed at staff in schools, leisure centres and social services; (4) organising training directed at girls' shelters and similar facilities for boys. The study "See me – young people about sex and the internet" filled a knowledge gap in efforts directed at young people. As an example, the study has been downloaded from the National Board's website 15 342 times. In 2010 the National Board of Youth Affairs carried out a series of training programmes based on the method materials it had produced. The material includes a number of films and interviews which can be seen on YouTube. In all about 4 000 people participated in the

training programmes held by the National Board of Youth Affairs as part of the commission. The measure contributed to developing knowledge on the issue and gave staff working with young people today the opportunity of learning about how they can work preventively to reduce the vulnerability of young people. In 2011 the National Board of Youth Affairs was commissioned to continue its training initiatives aimed at preventing the sexual exploitation of young people via the internet and other interactive media. To further strengthen the measures, the National Board of Youth Affairs was commissioned in 2012 to produce special information material aimed at girls and boys to prevent their sexual exploitation via the internet and other interactive media. In the course of producing the material, the National Board of Youth Affairs is to seek out the opinions of young people. The commissions are to be presented in their final form in February 2014.

430. The Government has instructed the National Agency for Education to implement measures for equality in school. As a part of this, the National Agency for Education is to offer further training in teaching about sex and relationships and honour related issues. The training is intended to provide knowledge about such complex issues as sexual abuse, sexual violence and sexual exploitation (including such exploitation as occurs in new digital media), genital mutilation and honour related violence and oppression, to be discussed with pupils from an equality and rights perspective.

431. In 2012 the National Board of Health and Welfare was instructed to survey activities with knowledge of violence against children, including sexual abuse and sexual exploitation of children and of children who witness violence, and to consider whether there is a need for a national body charged with disseminating knowledge (see paragraph 192).

432. The Optional Protocol on the sale of children, child prostitution and child pornography is included in training programmes on the Child Convention, e.g. in the competence development initiatives taking place within the framework of the Government's agreement with the Swedish Association of Local Authorities and Regions (SALAR) (see paragraph 74).

433. *The Committee recommended that state corporations, including the state pension funds, that invest abroad or operate through subsidiaries or associates in foreign countries, comply with due diligence requirements to prevent and protect children in those countries from offences under the Convention and the Optional Protocol and that Sweden appropriately regulate the investments and activities of all Swedish companies abroad in this same respect (cf the Committee's concluding observations 2011 paragraph 20).*

434. The state is a significant owner of businesses in Sweden. The state company portfolio includes fully and partly owned businesses, of which three are listed on stock exchanges. The state's corporate governance aims to make state-owned companies models in the area of sustainable business. Sustainable business practices comprise the environment, human rights, working conditions, anti-corruption and business ethics as well as equality and diversity. An important part of sustainable business practices is that fully owned state companies comply with international guidelines on environmental considerations, human rights, working conditions, anti-corruption and business ethics. The international guidelines are the ten principles of the UN's Global Compact, a framework for companies and human rights, and the 2011 revised OECD guidelines for multinational companies. These instruments are based on international conventions and agreements and have been formulated collaboratively by states, businesses and other stakeholders in civil society. State-owned companies must have wellreasoned and supported policies and strategies as well as defined goals in order to manage sustainable business practices. Companies are expected to pursue these issues actively both in their own ranks and in cooperation with business partners, customers, suppliers and other stakeholders.

Prevention and discovery

435. A financial coalition against child pornography on the internet is based on a collaboration between the payment industry (banks and credit card companies), internet providers, non-governmental organisations (NGOs) and crime-fighting agencies. Sweden has such a coalition since 2007. The National Criminal Police child pornography group is the principal actor alongside the Swedish Bankers' Association, 25 or so banks, a number of credit card companies, ECPAT and others, the Ministries of Justice and Finance and the Swedish Financial Supervisory authority, which all collaborate with the coalition.

436. Through browsing the internet or tip-offs from NGOs or the general public, websites that offer child pornography are identified. By means of collaboration between the National Criminal Police and e.g. a bank, a test purchase can be carried out to provide the information necessary to block a certain payment route. Today it is very difficult to buy child pornography on the internet with a credit card in Sweden. However, further efforts are needed in order to cover other means of payment, e.g. "electronic wallet" smart cards.

437. Studies show that the number of "commercial" child pornography sites on the internet has dropped since 2008. Also, according to reports from the American and European financial coalitions, prices for buying child pornography material have risen. However, the volume of available child pornography remains large. Further, it is the "privately recorded" child pornography that contains the most heinous abuse. This is initially spread through paedophile networks, and later trickles out to become available in wider circles.

438. *The Committee recommended that all perpetrators are offered rehabilitation and counselling. Further, that mandatory training on safe internet usage be introduced in school curriculums and that convicted sex offenders be prohibited from working with children. Sweden was also recommended to ensure the provision of adequate protection measures for unaccompanied children, including by increasing control of the persons into whose care children are put (cf the Committee's concluding observations 2011 paragraphs 21-22).*

439. A special measure in the action plan against the sexual exploitation of children was a Government commission to the Swedish Council on Health Technology Assessm .t (SBU), in consultation with the National Board of Health and Welfare, to survey what measures are available for persons who have committed sex crimes against children and to evaluate the effects of those measures. The survey and evaluation were also to include measures for potential perpetrators. The commissions were presented in January 2011. The presentations showed, among other things, that there is a considerable lack of knowledge about effective medical and psychological treatment methods for these persons.

440. The Government has granted Karolinska University Hospital (Centre for Andrology and Sexual Medicine, CASM) SEK 10 million for the development and quality assurance of the activity that receives persons who commit or risk committing acts of sexual violence. CASM receives patients with sexual deviance and compulsive sexual behaviour or sexual addiction. In 2010 CASM's sexual medicine clinic had 2200 patient visits concerning sexual deviance, compulsive sexual behaviour or sexual addiction. The majority were men aged 18-65. Of the patients who consented to being documented, about 50 per cent had compulsive sexual behaviour or sexual addiction, about 25 per cent had been diagnosed with paedophilia and 25 per cent were deemed to have "highrisk sexual behaviour". A large proportion of the group reported that their sexual behaviour is illegal and could lead to, or had led to, their being convicted of a crime. The Government has therefore determined that there is a need to develop activities geared towards persons who are not subject to measures within the framework of e.g. correctional treatment or institutional youth care. Such development comprises the following three parts: 1) to establish a "stop line" against sexual

violence by developing existing telephone and internet services with the aim of reaching a larger and broader target group than at present, i.e. persons, primarily men, who commit or risk committing acts of sexual violence, persons close to them, and staff in relevant services; 2) to survey local services in the field with the aim of being able to refer people seeking help and their families from all over the country, and to create the basis for a national network of caregivers and other actors in the area; 3) to develop treatment and working methods currently used at CASM with people who commit or risk committing acts of sexual violence, to make them evidence based, and to evaluate the effects of a "stop line".

441. One measure applied to prevent sexual violence and other sexual abuse is the "stop line". By increasing knowledge about CASM's activities and information that there is help to be had for those whose destructive sexual behaviour risks injuring others as well as themselves, more people can be reached and more voluntarily seek treatment or help to change their behaviour. The development efforts at CASM are also intended to reach people close to those in the target group, as well as the staff that receive them.

442. Since 2007 the Government has allocated significant resources to strengthening the treatment of men convicted of sex crimes and men convicted of violence in close relationships. For example, as part of the Government's action plan for men's violence against women etc., the Prison and Probation Service was commissioned to carry out, in 2008-2010, a special initiative intended to increase measures for this group of convicted men. The result shows that the Government's investment in activities within the correctional treatment system directed at violent men have had a clear influence on measures directed at this group. Among other things, the initiatives have led to a considerable increase in the number of completed treatment programmes for convicted men.

443. The Government commissioned the National Board of Health and Welfare to carry out a preliminary study about developing knowledge support, method development and guidelines for the social services' work with perpetrators of violence. Within the social services and other services, various methods are currently being used to treat men who perpetrate violence, including sexual violence. The commission was presented in October 2011. Among other initiatives, the National Board of Health and Welfare proposed measures to get more perpetrators of violence into treatment, and it also suggested a development of the social services' work with women subjected to violence and children who have witnessed violence. These proposals are now being processed by the Government Offices.

444. Projects directed at effects of measures to prevent repeat crimes among perpetrators of violent and sex crimes are also to be given priority in the distribution of development funds by the Stockholm County Administrative Board among agencies and NGOs, in its role as coordinator of efforts against prostitution and human trafficking for sexual purposes.

445. Persons offered employment or internships in preschool activities, schools and school childcare must show an extract from criminal records before they can begin their job or internship. Individuals can request a special records extract for this purpose; the extract will only contain information about certain types of crimes. The employer is obliged to carry out the check, but then decides at his or her discretion whether to hire the person in question, irrespective of their criminal record. The same applies for HVBs that receive children, including unaccompanied children, and in activities with measures for children with functional disabilities. Additionally, there is nothing to stop an individual applying for work at an NGO from requesting an extract from criminal records to show that he or she has not been convicted of a sex crime against a child.

446. Regarding mandatory training in safe internet use, see paragraphs 165-167.

Ch sex tourism

447. *The Committee urged Sweden to establish and implement an effective regulatory framework and take all necessary measures to prevent and eliminate child sex tourism, and in this context to strengthen international cooperation through multilateral, regional and bilateral arrangements, and consistently prosecute offenders for the crimes committed abroad when they return to Sweden. The Committee also urged Sweden to strengthen its advocacy with the tourism industry on the harmful effects of child sex tourism, widely disseminate the UNWTO Global Code of Ethics for Tourism among travel agents and tourism agencies, and to encourage these enterprises to become signatories to the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism, as well as raise awareness and influence attitudes (cf the Committee's concluding observations 2009 paragraph 69 a, c, d and 2011 paragraphs 23-24).*

448. Since the beginning of 2009, the National Criminal Police has applied measures against sexual abuse committed against children by Swedes abroad, e.g. by making it easier for the general public to provide tip-offs via the internet and in future also by sms or mms (it can be important to leave a tip-off soon after an observation, so that it is not forgotten). Among the results of this are convictions in Thailand and Cambodia. Two individuals have also been convicted in Sweden, one to seven years in prison for aggravated rape of children in the Philippines, among other offences. Further investigations are on the way. These initiatives are being carried out by four police officers and one IT forensics specialist in the National Criminal Police child pornography group, which processes tip-offs and investigates the child sex trade. The tip-offs are evaluated and followed up in relation to the country where the suspected abuse took place. Sex crimes committed by Swedes abroad can be investigated and legally processed in Sweden under existing special rules for extraterritorial crimes. This initiative has now become permanent. The special initiative on child sex tourism has delivered results beyond expectations. From what was really just a single case in 1995 to 50 suspects since the beginning of 2009. The initiative also shows that child sex tourism is a problem shared by many countries, i.e. that travelling sex criminals go to destinations in e.g. Southeast Asia, where they buy, or even temporarily "adopt", a child. As long as the offenders are not prosecuted in their home countries they are left alone.

449. In accordance with the action plan against sexual exploitation of children, the Ministry for Foreign Affairs' recommendations before travelling abroad were complemented in 2007 with a text about the sexual exploitation of children in connection with tourism and travel. The information is available on the Ministry's website – Ready to travel? Prepare your trip abroad. The traveller is informed that it is a punishable offence to have sexual contacts with children and that anyone doing so may be reported to both local and Swedish authorities. In this connection, travellers are reminded that it can be difficult to determine a person's age, and they are therefore recommended to refrain from sexual contact if they are uncertain as to whether the person is over 18 years of age. Travellers are recommended to contact local or Swedish police if they see a child being sexually exploited or suspect it is happening. Other possibilities include contacting the tour operator and asking for advice, or contacting Ecpat in Sweden. The information is also available as an app for smartphones through which travellers can get information about sexual exploitation of children in connection with tourism and travel.

450. In the autumn of 2011 the Ministry of Health and Social Affairs, together with the Police and Ecpat Sweden, began an information campaign to protect children against sexual exploitation within tourism. A Swedish version of the film jointly produced by Germany, Austria and Switzerland for the purpose is being shown at airports and on the Arlanda Express shuttle and in its departure halls, with the aim of drawing travellers' attention to issues about the protection of children against sexual exploitation in connection with

tourism and travel. Contact details for the Police feature prominently, so that travellers can tip off the Police as soon as they suspect a crime.

451. The Government has also held a meeting with affected actors in the travel industry and Government agencies responsible for tourism training about the issue of preventive measures against sexual exploitation of children in connection with tourism and travel. The travel industry and Government agencies responsible for tourism training are important actors in making the efforts against sexual exploitation of children in connection with tourism and travel effective. The Government intends to call a follow-up meeting in order to obtain more in-depth documentation on how best to move on and how cooperation can be improved in preventive work against sexual exploitation of children in connection with tourism and travel, on issues to do with the travel industry and the education system. For their part, these actors can obtain increased knowledge about the problem and about how others are working on the issue, as well as more in-depth documentation on how they can continue their preventive efforts.

452. In the spring of 2012, Sweden took the initiative to continue working against child sex tourism at the EU level, by means of a project financed by the EU. A shared problem for many EU countries is that travelling sex offenders from those countries travel to destinations in e.g. 113 Southeast Asia, where they commit sexual assault, or even temporarily "adopt", a child for the same purpose. A number of sex offenders also move to these countries with the aim of committing sex crimes against children. There are also those who take the opportunity, since the offering of sexual services by children is done fairly openly in certain countries. The children are often victims of human trafficking. In addition to being exploited through the provision of sexual services to tourists, the children are also exploited for the production of child pornography. As long as the offenders are not prosecuted in their home countries they are left alone in their activities. A more "forceful" initiative in the form of an EU project is therefore justified. The project is partly intended to raise the issue to the policy level within the EU and in the EU's ties with third countries, and partly intended to create the conditions for strengthened operative crime-fighting cooperation, including an increased number of EU citizens prosecuted for sex crimes committed against children outside the EU. In implementing the project, the Ministry of Justice will collaborate closely with Payoke (an NGO in Antwerp) and CEIPA (Centre for European and International Policy Action). Additionally, the following organisations are involved: Ecpat UK, Ecpat SE, NSPCC UK, Kingston University UK, CEOP UK, the Netherlands' police, the Netherlands' rapporteur on human trafficking, CEPOL, EUROPOL, the Portuguese Interior Ministry, the OSCEs police unit and the Belgian Ministry of Justice.

Prohibition and other related issues

The sale of children

453. The Committee recommended that measures to protect children who are victims of sexual exploitation, human trafficking and prostitution be strengthened. The Committee further reminded Sweden that its legislation must fully comply with its obligations under articles 1, 2 and 3 of the Optional Protocol on the sale of children, child prostitution and child pornography with regard to the sale of children, a concept which is similar, although not identical, to trafficking in persons. (cf the Committee's concluding remarks 2011 paragraphs 11 d and 39, and the Committee's concluding observations 2009 paragraph 67 c).

454. For references to sections of the law and the range of punishment, see Sweden's 2009 report on implementing the protocol on the sale of children, child prostitution and child pornography.

455. The sale of children is criminalised in Swedish law primarily in the Penal Code provisions on kidnapping, trafficking in human beings, procuring and gross procuring and on attempts at and preparation for such crimes. Instigation to and complicity in such crimes are also punishable offences. The same applies to conspiracy to kidnapping, trafficking in human beings and gross procuring, and to the failure to reveal such crimes. The improper obtaining of consent or permission for the adoption of a child is also a criminal offence. The latter crime was introduced in connection with Sweden's accession to the UN Protocol on the sale of children etc., when the assessment was made that legislation in that area did not correspond to the commitments specified in the protocol. Attempts at, instigation to and complicity in the crime are also punishable offences.

456. In this context it is also worth mentioning that in some situations Swedish law allows for the possibility of convicting several offenders for one and the same crime. This may be in cases where they commit the crime jointly and in consultation, e.g. by dividing tasks between them so that different persons carry out different stages of the crime. Even if it can only be proved that each one of those involved at least aided in the crime, they can still be held to account for complicity in it.

457. It is Sweden's assessment that the provisions referred to mean that Swedish legislation fulfills the requirements of the protocol with regard to the criminalisation of and sanctions for the sale of children. However, in recent years several measures have been applied further to strengthen criminal law protection in the area in question. Among other things, the section on trafficking in human beings was given a new wording on 1 July 2010, which meant a clearer and more appropriate description of the crime. The changes include the removal of the requirement that the offender takes control of the victim. Criminal liability for human trafficking in children includes anyone who recruits, transports, transfers, houses or receives a child for the purpose of his or her exploitation for sexual ends, removal of organs, participation in hostilities, forced labour or other activity in a situation which implies distress for the victim. In other words, use of improper means is not a requirement if the offence is directed at persons under the age of 18. As earlier, the provision covers both human trafficking within the country and cross-border trafficking.

458. The possibility of prosecuting human trafficking committed abroad is an important part of international efforts against trafficking in human beings. The requirement for dual criminality in order for a Swedish court to be able to issue a sentence for human trafficking committed abroad has therefore been removed. The same applies to an attempt at such a crime. Neither are Swedish courts hindered from imposing a more severe penalty than prescribed by the law of the country where the crime was committed.

459. The requirement for dual criminality is a fundamental and generally recognised principle in extradition cooperation. It is very rare that extradition requests are rejected on the grounds of an absence of dual criminality. Swedish law further prescribes that criminal acts are extraditable if they are punishable by one year in prison. This is also an established principle of extradition procedure, reiterated in a number if agreements and conventions on extradition. The vast majority of all extradition and transfer matters involve states to which Sweden may extradite or transfer Swedish citizens. Sweden does not extradite Swedish citizens to states beyond the Nordic countries and the EU. This is another recognised principle of extradition cooperation. In those cases where Sweden rejects an extradition request because the wanted person is a Swedish citizen, the Prosecution Authority may determine whether a preliminary investigation concerning the crime should be opened in Sweden.

460. Another element of international efforts against human trafficking is that Sweden in 2010 ratified the Council of Europe's Convention on Action against Trafficking in Human Beings. Within the EU the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and

protecting its victims, and replacing Council Framework Decision 2002/629/JHA has also been adopted. It is Sweden's assessment that no changes in legislation are required to fulfill the commitments under the directive.

Child prostitution and other sexual exploitation of children

461. *The Committee recommended that measures to protect children who are victims of sexual exploitation, human trafficking and prostitution be strengthened. The Committee further recommended that Sweden revise and bring its Penal Code into full compliance with articles 2 and 3 of the Optional Protocol, and ensure that the law is enforced in practice. In this connection the Committee emphasised that criminalisation must include the offering, obtaining, procuring or providing a child for prostitution, and attempts to commit any of these acts and complicity or participation in any of them, as well as the production and dissemination of material advertising any of these acts. The Committee further urged Sweden to ensure that commercial sexual exploitation is subject to commensurate sanctions and that all victims of child abuse, particularly those above the age of 15 years, are provided with adequate legal protection, and to reconsider its evaluation of the purchase of a sexual act of a minor and exploitation of children for sexual purposes as "less serious sexual offences against children". The Committee also urged Sweden to consider removing the requirement of dual criminality for such offences when they are committed outside its territory (cf the Committee's concluding observations 2011 paragraph 11 a, b and c, paragraph 26 a, c and d, and paragraph 28 and the Committee's concluding observations 2009 paragraphs 67 c and 69 e).*

462. For references to sections of the law and the scales of punishment, see Sweden's 2009 report on implementing the protocol on the sale of children, child prostitution and child pornography.

463. Chapter 6 of the Swedish Penal Code contains a number of penal provisions focusing on sex crimes against children. Some of these concern acts committed against someone who is under 15 years of age and some acts committed against someone who is under 18 years of age. The differences reflect the fact that the age limit for the right to sexual self-determination in Sweden is 15. Thus, in respect of children under the age of 15, Swedish criminal law offers complete protection against all forms of sexual acts. Additionally, there is special protection for the 15-18 age group against being exploited in various contexts.

464. To carry out sexual acts against a child under 15 years of age may be considered rape of a child, gross rape of a child, sexual exploitation of a child, sexual abuse of a child or gross sexual abuse of a child. These crimes may also be cited against anyone who commits such an act against a child who has turned 15, but not 18 years of age, if the child is the offspring of the offender, in the offender's care or has some similar relationship to the offender, or if the offender is responsible for the child's care or supervision due to a decision by a Government agency. In other cases where the child is over 15 years old, depending on the individual circumstances, the provisions on rape, gross rape, sexual coercion, gross sexual coercion, sexual exploitation of a person in a position of dependence or gross sexual exploitation of a person in a position of dependence may be applied instead. For provisions on liability for attempted crimes and complicity etc., see Sweden's 2009 report on the implementation of the protocol.

465. In addition to the general provisions on sexual crimes against children, there are also provisions that focus in particular on the exploitation of children for sexual posing and child prostitution. Thus anyone who promotes or exploits the sexual posing or participation in sexual posing by a child under 15 years of age is sentenced for exploitation of a child for sexual posing. The same applies to anyone who commits such an act against a child who has turned 15 but not yet 18, if the posing is intended to damage the child's health or

development. Regarding the latter specification, this should be the case as a rule when posing has occurred against payment or under duress, or if the child has been misled or someone has persuaded or in some other way influenced the child to pose in an environment typically harmful to the child, e.g. at a sex club or for the production of pornographic images. However, such voluntary participation as e.g. when a boyfriend or a girlfriend poses sexually for one another for the purpose of exploring their sexuality falls outside of the punishable area.

466. Concerning the exploitation of children for child prostitution, anyone who induces a child who has not yet turned 18 years of age to carry out or endure a sexual act for payment is sentenced for purchase of a sexual act from a child. This applies even if the compensation has been promised or provided by someone else. Further, anyone who promotes, e.g. by offering, procuring or providing children for sexual services, or improperly exploits in financial terms the fact that a child has temporary sexual relations against payment, is sentenced for procuring or gross procuring. Liability for trafficking in human beings may also be cited. Allowing advertising in which sexual services are offered can also constitute procuring. Attempts at and preparations for procuring and gross procuring are also punishable, as are instigation and complicity. The same applies to conspiracy to gross procuring, and failure to reveal such a crime. Attempts at, preparation for and conspiracy to gross exploitation of a child for sexual posing, and failure to reveal such a crime are all punishable acts, as are attempts at exploitation of a child for sexual posing and purchasing sexual acts from a child. Instigation to and complicity in such crimes are also punishable offences.

467. The scale of punishment for sex crimes are devised in such a way as to reflect the seriousness of the crime and provide margins for covering different situations of varying degrees of difficulty. Even if all sex crimes against children are serious – and the scale for punishment therefore usually only contains imprisonment, with a maximum punishment of up to ten years – it must also be possible in this area to differentiate between various acts in terms of penal value.

468. It is Sweden's assessment that Swedish legislation fulfills the requirements of the protocol with regard to the criminalisation of child prostitution and other forms of sexual exploitation of children. Swedish sex crimes legislation was also recently the subject of an evaluation. The inquiry concluded that protection of personal and sexual integrity and sexual self-determination, seen as a whole, was strengthened and clarified through the sex crimes reform that was carried out in 2005. Protection of children has also been improved. However, in order to further strengthen protection certain changes were suggested, including an extension of the period of limitation for exploitation of a child for sexual posing, that the requirement for dual criminality is removed also for the purchase of a sexual act by a child and exploitation of a child for sexual posing, and that Sweden ratifies the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. The proposals are currently being processed by the Ministry of Justice.

469. As an example of further significant measures in the area, a new crime was introduced into the Penal Code on 1 July 2009, contact with a child for a sexual purpose (Ch. 6, Section 10 a). The crime focuses on contacts with children – including but not exclusively on the internet – that risk leading to sexual abuse in an encounter with the child. According to the penal provision, anyone who reaches an agreement with a child under 15 years of age about a meeting with the intention of committing a sex crime against the child, and then applies some measure intended to promote the realisation of such a meeting, can be sentenced for the crime. The sanction is a fine or imprisonment for up to one year. The National Council for Crime Prevention has now been instructed to follow up and evaluate the application of the penal provision. Results are to be presented by May 2013.

470. Further, on 15 November 2011 Directive 2011/92/EU of the European Parliament and of the Council on combating sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA was adopted. A one-person inquiry has been charged with assessing what measures are needed in order for Sweden to live up the requirements of the directive. The results of the inquiry are to be presented no later than 13 November 2012. The aim of the directive is to create minimum rules concerning the definition of criminal offences and sanctions in the area of sexual abuse of children, sexual exploitation of children, and child pornography. It also aims to introduce common rules to strengthen the measures to prevent such crimes and to improve the protection of crime victims. Important features include the possibility of stopping persons who have been convicted of a crime covered by the directive from working with children, the possibility for employers recruiting a person for professional or organised voluntary activities involving direct and regular contact with children of being informed about guilty verdicts for crimes covered by the directive, and measures to close down and block websites that contain child pornography.

Child pornography

471. *The Committee recommended that Sweden criminalise the production, distribution, dissemination, import, export, offering, sale or possession of child pornography, as well as attempts to commit any of these acts and complicity or participation in any of these acts. Further, also criminalise the production and dissemination of material advertising any of these acts. The Committee also urged Sweden to consider removing the requirement of dual criminality for such offences when they are committed outside its territory (cf. the Committee's concluding observations 2011 paragraph 26 b, c and d).*

472. For references to sections of the law and the scales of punishment, see Sweden's 2009 report on implementing the protocol on the sale of children, child prostitution and child pornography.

473. Sweden has very far-reaching criminalisation of all conceivable forms of engagement with child pornography images, including even looking at pictures one has obtained access to. Criminalisation applies to images of all kinds, in printed media as well as on film or the internet. Drawn images are also covered by the provision.

474. The principal provision is in Ch. 16, Section 10 a of the Penal Code, in which a number of acts such as depiction, dissemination, transfer, possession, the bringing about of contact between buyers and sellers, and viewing are punishable. The attempt to commit an intentional child pornography crime is punishable if it is not minor, as is attempting or preparing a gross child pornography crime. Instigation and complicity are also punishable offences. In addition there is a special act (1988:1443) on the prohibiting of importation and exportation of child pornography, which specifies that a depiction of children in child pornography images may not be imported to or exported from Sweden. Provisions on punishments for such unlawful importation are included in the Act (2000:1225) on Penalties for Smuggling. Furthermore, the production of pornography using children under 18 years of age may also be a crime under the provision on exploitation of a child for sexual posing.

475. In July 2010 a series of changes in respect of child pornography crimes came into force. These aimed at making the regulation on child pornography crimes more effective, and amounted to a strengthening of the protection of children from featuring in pornographic images. This included a new form of punishable engagement with child pornography images of children. This new form of engagement consists of someone viewing a child pornography image that he or she has obtained access to. The regulation covers the case, for example, in which someone pays to look at images provided via a website, without it having to be proven that possession of the image thereby ensued.

Additionally, the circumstances which can lead to a crime being regarded as gross were clarified.

476. Further, the requirement for dual criminality was removed for all non-minor offences consisting in the depiction of children in child pornography images, and for all forms of gross child pornography crimes. This means that sentencing in Sweden of persons who have committed child pornography crimes abroad will be made easier. The statute of limitation was also changed for crimes that are not considered minor and concerns the depiction of children in pornographic images. This means that the period of limitation begins to run on the day the depicted child turns, or would have turned, 18 years of age.

477. As of 1 January 2011, anyone who depicts a person under 18 years of age in a pornographic image is guilty of a crime, irrespective of whether the depicted child's pubertal development is complete or not. In this way, criminal law protection has been strengthened for persons under 18 years of age who have completed their pubertal development.

478. Underlying the criminalisation of child pornography is the violation, both of the individual child and of children in general, inherent in featuring in a pornographic image. Criminalisation is limited to various forms of engagement with images, and thus does not cover sound or texts. The reason for this is that the violation inflicted on the child by featuring in a pornographic image is greater than that inflicted by having one's voice feature in a sound recording without accompanying images, or by the description of a child pornography theme in a literary or other text without images.

479. In systemic terms, the crime is not a sex crime. It focuses on other kinds of acts than sex crimes do. The purpose of criminalisation is not just to protect the depicted child from violation, but also children in general. The placement of a crime in a certain chapter of the Penal Code is not a determining factor for the possibility of being regarded as a crime victim and receiving damages.

480. With respect to the limited exceptions to the punishable area, these focus on situations in which children depict other children and possess the images, craftsmanlike representations not intended to be made available to others, and acts that are justifiable in view of the circumstances. The scope for regarding acts as justifiable is limited on the whole, and focuses primarily on such possession as may be necessary for news distribution, research and opinion making.

481. With respect to the sanctions for child pornography crime, the crime consists of different types of acts with different degrees of seriousness. Even if the acts are all unacceptable, a differentiation between them must be made. Fines are only applied at the minor crime end of the scale of punishment.

482. In summary, the assessment is that Swedish legislation fulfills the requirements of the protocol with regard to the criminalisation of and sanctions for child pornography crimes.

483. For further reference see Sweden's 2009 report on the implementation of the protocol.

Liability for legal entities

484. *The Committee recommended that Sweden ensure that, in addition to pecuniary penalties, there are legislation and commensurate criminal, civil or administrative sanctions, to ensure the undertaking of measures that effectively prevent the recurrence of such offences, and encourage corporations to establish an ethical policy concerning the commercial sexual exploitation of children and insert respective clauses inside contracts with suppliers (cf the Committee's concluding observations 2011 paragraph 32).*

485. Under the protocol, provisions on liability for legal entities may be criminal, civil or administrative measures, depending on the states parties national judicial principles.

486. In Sweden the issue of liability for legal entities is regulated by means of the provisions on corporate fines, among other means. A corporate fine is an alternative punishment that can be imposed on a business for crimes committed in the course of its activity, under certain circumstances. The system of corporate fines was made more effective in 2006, e.g. by increasing the possibilities of increasing the sanction and by raising the maximum amount. One aim of this was to increase the practical application of the sanction for crimes in business activities. Protection of children's rights and interests in crimes directed at children

487. *The Committee welcomed the measures adopted to protect the rights and interests of child victims of offences prohibited under the Optional Protocol. The Committee nevertheless urged Sweden to ensure that sex offenders are prosecuted more systematically and effectively. Further, Sweden was urged to make available a child-friendly and accessible version of the crime victim portal. Sweden was also urged to facilitate receipt of a residence permit for children who have been trafficked into Sweden, and to ensure that its legislative and procedural provisions are in full compliance with the Palermo Protocol (cf the Committee's concluding observations 2011 paragraphs 33-34 and the Committee's concluding observations 2009 paragraph 67 c).*

488. The National Police Board, in collaboration with the Prosecution Authority, the National Board of Forensic Medicine and the National Board of Health and Welfare, has at the Government's request drawn up joint national guidelines to ensure that cooperation in investigations of child victims of crime is efficient and legally certain, with the best interests of the child at heart.

489. The processing of "sex crime tourism cases" (crimes committed in foreign countries by travellers in sexual abuse of children) has been developed over the past year as part of a collaboration between prosecutors at the International Public Prosecution Office in Stockholm and the National Criminal Police. During 2011 the Swedish Prosecution Authority carried out a review of the processing of "sex crime tourism cases". The review showed that the number of cases was small and that prosecutors had tried to make use of the available possibilities for investigating crimes. In a few cases where the suspect has returned to Sweden, investigations have led to prosecution. The review concluded that an evaluation is to be undertaken of the working methods being developed, and that this will be the basis for a concise method support documentation.

490. The Swedish Prosecution Authority's activity plan includes several objectives concerning the sexual abuse of children. Follow-up of these objectives, training and handbooks are measures intended to improve the quality of investigation and prosecution of sex crimes. The Swedish Prosecution Authority's project "Method development of work on violent and sex crimes in close relationships and against children" is aimed at shortening processing times of investigations and improving the quality of securing evidence. As part of the project, a working method was developed and used on a trial basis at two local public prosecution offices for just over a year. The project, which ran between 2001 and 2010, is now in its final phase and a project report is to be presented at the end of March.

491. The Crime Victim Portal is no longer available as a separate website. The information has been integrated into the Crime Victim Compensation and Support Authority's website, which since 2011 contains detailed information for crime victims in easily comprehensible Swedish. This includes information specifically directed at anyone who is responsible for a child who has been the victim of a crime and about children who have witnessed a crime against someone close to them. "Brottsrummet", the school portal

of the National Council for Crime Prevention, contains special information for young crime victims.

492. Sweden has not applied any particular measures on account of the Committee's urging to facilitate receipt of residence permits by children who have been trafficked into Sweden. A foreigner resident in Sweden may be granted a temporary residence permit if he/she participates in a preliminary investigation or a main hearing in a criminal case. A special temporary residence permit for 30 days' consideration time may also be granted. This consideration time is for the victim to recover and to decide whether he/she wishes to collaborate with the authorities investigating the crime. The permit is to be extendable if there are special reasons for this.

493. Permits (for consideration time as well as in case of participation) are granted by the Migration Board following an application by the head of a preliminary investigation. These provisions were inserted into Sweden's Aliens Act and are based on the EU directive on residence permits for victims of human trafficking (Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities). However, the Swedish rules go further than the directive as they include all third-country nationals who can provide evidence (witnesses and crime victims), not just victims of human trafficking. In addition to these rules, victims of human trafficking also have the possibility of applying for a residence permit on other grounds, e.g. need for protection or particularly distressing circumstances.

494. In the preliminary draft of the Aliens Act's rules on residence permits for persons providing evidence, the Government stated that an extension of the consideration time can come into question in particular for children who have been subjected to crimes (bill 2006/07:53). The Government also stated that in certain cases, in order to complete processing, there may be reason to apply for a temporary residence permit with reference to the provisions on residence permits due to particularly distressing circumstances (bill 2006/07:53 p 34). The provision in question specifies that children may be granted a permanent residence permit even if the circumstances that emerge are not of the seriousness and severity required in order for adults to be granted such a permit.

495. *The Committee noted the existence of a hotline for reporting child pornography, trafficking in children for sexual purposes and child sex tourism, and recommended that Sweden provide the hotline with the necessary human, technical and financial resources to ensure its efficacy, continuity and visibility, including among children and for occurrences of offences under the Optional Protocol committed by its nationals outside its territory. Sweden was further recommended to take the measures necessary for the expedient operationalisation of the European hotline number for missing children "116 000" in its territory (cf the Committee's concluding observations 2011 paragraphs 37-38).*

496. The National Criminal Police child pornography group coordinates work on child pornography and sexual exploitation of children at the national level. The group consists of eight police officers and one administrator. The National Criminal Police in turn has trained about 150 investigators at local police authorities in examining images which may constitute child pornography. The National Criminal Police then receives all images examined by the investigators and deemed to be child pornography. This means that the child pornography group can focus on the more complicated cases. International cooperation is also very important in this work. In its coordinated work at the national level, the police currently has quite a well-developed toolkit at its disposal for preventing and combating child pornography and sexual exploitation of children.

497. Each image is given a unique code and placed in an image database. Using the code, special software can then screen out images which have already been examined, should the same image appear again. The software also allows for the pairing up of series of images. This tool makes examining more effective and contributes to documentation for the blocking of websites with child pornography content.

498. The child pornography group works actively to find child pornography material on the internet. The group also receives cases in which Europol and Interpol have tracked images to Swedish internet users. They also receive tip-offs from the general public, e.g. about commercial child pornography sites. There is also a hotline run by ECPAT Sweden that contributes tip-offs about websites and material. By means of a collaboration arrangement with internet providers, a website can then be blocked when someone tries to visit it. Instead a text appears explaining that the website has been blocked. This message from the Police is shown up to 50 000 times a day in Sweden alone. The investigators seek out persons who share child pornography material on the internet. Police seizures of computers often bring up names of more suspects.

499. A very important task is to identify the children in the images. Information about where the picture was taken can often be found in the background of the image. In films, the Police listen to languages and dialects. This is an area that urgently needs to be developed, as few children are identified in relation to the volume of child pornography material actually available. An important part of this is for child pornography material to be regarded as images of sexual abuse, i.e. as evidence of sex crimes, rather than only regarding it as pornographic material which it is illegal to possess.

500. Legislation concerning adult contacts with children for sexual purposes has been in force since 1 July 2009. The Police have, as a consequence of this legislation, set up a SIR (Special Investigation Register) in order to gain a complete picture of the phenomenon at national level. This Register contains approximately 600 people/aliases who, in different ways, have been active for sexual purposes in Internet arenas where children are also active.

501. In its Directives for 2012, the Swedish Government gave the National Council for Crime Prevention a mandate to monitor and evaluate the application of the penal provision concerning contact with children for sexual purposes. The purpose of the evaluation is to investigate how the provision works in practice and whether any special problems have arisen in connection with its application. The evaluation should also include an analysis of the reasons for the fact that such a large percentage of cases are written off. The assignment also includes reporting what the evaluation discovers concerning, for example, how crimes are discovered, who the victims and the suspects are, means of contact, contact frequency and content, and the occurrence of other similar crimes. Results are to be presented no later than 15 January 2013.

502. The Government's intention is to explore the introduction to Sweden of an alarm number (116 000) to report missing children. The Ministry of Health and Social Welfare is currently working with the relevant ministries to find the most suitable provider for the emergency number 116 000 and procedures for its use, adapted to Swedish conditions. Existing structures within the emergency services organisation will be used, and 24 hour service will be provided by trained personnel. The expectation is that a decision on Swedish implementation will be taken in the spring of 2012.

Victim rehabilitation and reintegration

503. *The Committee recommended that Sweden take all necessary measures to ensure that children who are victims of crimes under the Optional Protocol, particularly children of foreign origin, are given appropriate assistance including their full social reintegration*

and physical and psychological rehabilitation. Also to ensure that victims of trafficking for sexual purposes and prostitution are included in the planned rehabilitation programmes and that those children who are victims of human trafficking are offered education. It was also recommended that Sweden ensure that all child victims of crime, including children who are not nationals of, or resident in Sweden, have access to adequate procedures to ensure, without discrimination, that they can seek compensation for damages from those legally responsible, in accordance with Article 9.4 of the Optional Protocol, and set up a compensation fund for victims who cannot obtain damages from the perpetrators of their crimes, and take measures to ensure that rehabilitation programmes and projects for a safer return are made available nationwide (cf the Committee's concluding observations 2009 paragraph 67 e, f, and the Committee's concluding observations 2011 paragraphs 35-36).

504. There is ongoing inter-agency cooperation at local and regional level between social services, police and health and medical care, as well as the Migration Board, in the cases of foreign children where there is a suspicion that they are victims of trafficking. These children have special, and often urgent, needs for support and protection. They do not always understand that they are victims and often need the immediate protection and care of social services so that they do not become subjects of trafficking once again. They need information about their rights, including the right to apply for asylum. For further information please refer to paragraphs 377-383.

505. All children who are residents of Sweden are entitled to education in primary and equivalent forms of school. This also applies to some groups that are not counted as residents of Sweden, such as asylum-seeking children.

506. Children residing in the country without permits do not currently have the right to education. Schools and preschools may voluntarily accept these children into their activities. The issue of the right to education for these children has been studied and a report has suggested that all children, even those who are residing in the country without permits, should be given the right to education (SOU 2010:5). The Government has, in its Budget for 2012, announced that the right to education will be extended on the basis of this proposal (see paragraph 328).

507. For pupils in preschool classes, the compulsory school system, as well as upper secondary and special education upper secondary schools, school healthcare and welfare services must be provided. The School healthcare and welfare services is to comprise medical, psychological, psychosocial and special needs resources. These require access to school doctors, school nurses, school psychologists and school counsellors. Pupils are further to have access to staff qualified to meet their special needs. The School healthcare and welfare services will be primarily preventive and promote wellness.

International assistance and cooperation

508. The Committee encourages Sweden to continue to strengthen international cooperation through multilateral, regional and bilateral agreements, especially with neighboring countries (cf the Committee's concluding observations in 2011 paragraph 39 and the Committee's concluding observations 2009 paragraph 67 g).

509. Sweden fully supports this recommendation. International cooperation is essential for proper enforcement of sanctions against phenomena such as trafficking and online child pornography. Consequently Sweden will actively participate in all international arenas of police cooperation, including Europol and Interpol. There are also regular bilateral activities underway including between the Nordic countries, EU Member States and other key stakeholders, such as USA.

510. Within the EU Sweden has, during its Presidency of the EU Council of Ministers in the autumn of 2009, raised the issue of human trafficking and sexual exploitation of children. EU ministers of the interior and justice approved a thematic Action Oriented Paper (AOP) including a number of measures to strengthen efforts to combat human trafficking in EU external relations. The measures contained in the document form an important step in strengthening EU relations and cooperation with countries of origin and countries of trafficking through which traffickers pass. Sexual exploitation of children in tourism and travel are specifically addressed and this issue should be paid special attention in the continued and extended partnerships between the EU and third countries, regions and organisations at international level.

511. One measure in the Action Plan aimed at strengthening cooperation at EU level was to highlight the issue of sexual exploitation of children in tourism and travel within the framework of the Permanent Intergovernmental Group Europe de l'Enfance. The issue of child sexual exploitation in the tourism and travel business was raised on several occasions, including in connection with the high-level conference held in Stockholm on 20 November 2009, on the occasion of the Swedish Presidency of the EU Council of Ministers in the autumn of 2009.

512. One measure in accordance with the Action Plan against Sexual Exploitation of Children was to highlight the issue during the Swedish Presidency of the Council of Europe, Committee of Ministers in 2008. The goal was that the issue of sexual exploitation of children, including matters related to tourism and travel, would receive increased attention in the Council of Europe and its member states and increase exchange of experience between them. During the Swedish Presidency of the Council of Europe, one of the Swedish priorities was to strengthen work for children's rights. As part of this work, the Government held a high-level conference in Stockholm in cooperation with the Council of Europe in September 2008. The conference discussed the Swedish proposal for a strategy on children's rights to apply 2009-2011. Consequently, what was known as the Stockholm Strategy was adopted by the Council of Europe. Part of the Strategy concerns combating all types of violence against children. Sexual exploitation of children and child trafficking (including for sexual purposes) is one of the areas that the Council has specifically focused on through awareness-raising campaigns and other measures. The Strategy also includes sexual exploitation of children in the tourism and travel business. Sweden has continued to prioritise combating all forms of violence against children in the work of the Council of Europe and the issue remains a priority in the Council of Europe Strategy for 2012-2015.

513. The CBSS is both an action group against human trafficking and an expert group on vulnerable children, where protection against all forms of sexual exploitation and sexual abuse and protection of child victims of trafficking are priority cooperation areas. The Council Secretariat has operated, and is operating, a number of projects among Council member states. Development cooperation support is provided to activities such as combating human trafficking. This cooperation also means that Swedish experts participate in development activities. One ongoing measure, in accordance with the Action Plan against Sexual Exploitation of Children, is active participation in cooperation to help children at risk in the Baltic Sea States. Member states are Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Poland, Russia, Sweden and Germany. Collaboration is carried out by an expert group (EGCC), with a mandate until 2013. The Government supplies financial contributions to this cooperation and actively participates in EGCC. Priority areas of cooperation include: protection of children against all forms of sexual exploitation and sexual abuse and ensuring children's right to protection during immigration and the protection of children vulnerable to trafficking. The EGCC identifies, supports and organises cooperation concerning children at risk between experts, countries and organisations in the Baltic Region. The Group explores and monitors areas of importance as concerns vulnerable children, areas that are identified by the experts and national

coordinators in the Group's network. Based on this, EGCC sets up programmes and carries out activities in relevant areas. Activities and programmes are implemented in cooperation with national authorities and organisations who cooperate in regional and international organisations. Projects and activities are funded by grants from sources such as the EU, the Member States of the CBSS and foundations.

514. The Swedish Institute implements a study visit programme for key foreign actors who wish to study Sweden's efforts to prevent and combat prostitution and trafficking for sexual purposes. Within the framework of the project tasks, some information activities are also implemented abroad. Efforts are primarily aimed at countries in Europe.

Children deprived of liberty, including any form of detention, imprisonment or compulsory care

Young people's legal protection

515. The special penalties for young people – young offenders' care and youth service – were reformed in 2007 with the aim of sanctions becoming characterised by the principles of proportionality, predictability and consistency, as well as being needs-adapted. In May 2009, a study was commissioned by Government to conduct a review of penalties for adults and young offenders. The study reported its position on 31 May 2012 in a report entitled Nya Påföljder (New Penalties) (SOU 2012:34). Among other measures to reduce the use of fines and penalties intended for adult offenders that are used for offenders under 18, the report proposes three new sanctions: contact obligation for young people, youth monitoring and warning sentences. These proposals will now be circulated for comments.

516. In August 2011, a series of changes designed to improve the enforcement of closed institutional youth care and increase opportunities for gradual release in controlled forms were implemented. This was accomplished using measures including the Action Plan that must now be developed for each offender according to new legislation. Furthermore, the changes mean that offenders, during the latter part of the enforcement of sentence in order to be prepared for a life of freedom will be offered measures such as education, training, housing provision and leisure activities. In addition, electronic monitoring may be used to check where the sentenced person is while away from the special young offenders' institution.

517. See also annex 1, paragraphs 119-127.

518. *The Committee recommended that Sweden review the current practice of solitary confinement, including amendment of the current legislation where appropriate, and limit the use of this measure to very exceptional cases, reduce the time period allowed for it and seek its eventual abolition. The Committee also recommended to ensure that all children who have been taken into custody are provided with adequate legal representation. (cf the Committee's concluding observations 2009 paragraphs 70-71).*

519. Section 15c of the Care of Young Persons Act (1990:52) states that young people in special homes may be placed in seclusion in a special isolation room if they use violence or are so under the influence of drugs that they endanger the order of the home. Seclusion may only be used if it is proportionate to the objective of the measure. If less restrictive measures are adequate, they must be used. Seclusion may never be used as a punishment. The decision to isolate must be based on current behaviour. When the grounds for the seclusion cease, for example when the young person has calmed down, it must be concluded. This decision may be appealed in a court of law.

520. The Ombudsman for Children, in its Annual Report 2008, examined the records of more than 450 cases of seclusion in special homes during a six-month period in 2008. In the

opinion of the Ombudsman, this showed that seclusion was used in a manner that is inconsistent with Swedish legislation or the guidelines issued by the National Board of Institutional Care (SiS) (please refer to Annex 2, paragraph 14).

521. In 2009, Government gave SiS, the state agency that runs special youth homes, the task of carrying out a review of the application of seclusion and reporting planned and concluded measures, as well as making suggestions for improvements. The Government has also given SiS instructions to clearly describe the use of the special powers, including seclusion in its Annual Report so that its use can be monitored over time. In connection with the regulatory reform implemented in 2010, Government assigned the new monitoring agency, the National Board of Health and Welfare, a specific task to monitor the special youth homes. The Board's monitoring report shows that it found 14 decisions with flawed reasoning and documentation as concerns these special powers. According to the National Board, these results indicate that SiS fulfils children's and young people's rights to a greater extent.

522. SiS reporting of the task shows that several measures have been taken regarding the use of seclusion, including the introduction of peer review of decisions regarding the special powers. Training on the application of the law and on relevant documentation has also been implemented. SiS reporting of the use of seclusion shows that both the frequency and average period of seclusion have been reduced. SiS also proposed that the maximum permitted period for seclusion be reduced. The proposals are currently being processed by the Government Offices. The trend towards using seclusion to a lesser extent is also confirmed by the Board's inspection report (National Board of Health and Welfare 2011), which shows that the amount of time young people stay in seclusion is now comparatively short, and has been more than halved since 2008. The Board also stated that the number of young people placed in seclusion also decreased between 2008 and 2009. The Board did criticise nine operations due to poor documentation.

523. Children in care receive proper legal representation when the decision to take the child into care without consent is made, i.e. legal representation for the child concerned when a decision is made to take into care in accordance with the Care of Young Persons Act (1990:52).

Protection of witnesses and victims of crime

524. *The Committee recommends that the State, through appropriate legislation and regulations, ensures that all children who are victims or witnesses to crimes, such as children who are victims of abuse, domestic violence, sexual or economic exploitation, abduction or human trafficking, or have witnessed such a crime, be given the protection required by the Convention (cf Committee concluding observations 2009 paragraph 72).*

525. In Swedish law, there are a number of measures that can be taken to support and protect victims of crime and witnesses before and during a trial. The victim has in many cases the right to a legal counsel or, if the victim is a child, a special representative. The counsel or the special representative shall safeguard the interests of the victim in the case and provide support and assistance to the victim. He or she shall also, to the extent that the prosecutor does not, assist the victim to claim damages in connection with the crime. A victim who is examined in aid of the prosecution's case, may be accompanied at the examination by a suitable person as support (support person).

526. In court, witnesses may be assisted by a witness support person. A witness support person is a volunteer who helps witnesses and victims with emotional support and practical information in connection with a criminal court session. A witness support person can explain what happens in the trial and provide information about matters such as expense

claims and the witness oath. He or she may also provide information on other support measures for witnesses and victims of crimes.

527. The safety in courts is facilitated by, inter alia, security checks. A Swedish court may decide to have a security check if the court finds that such a check is needed to limit the risk of crimes involving a grave threat to life, health or freedom, or extensive destruction of property, being committed during or in connection with a criminal proceeding.

528. Children are seldom examined directly in court. Normally the examination of a child during the preliminary investigation is video recorded. The recordings is then shown at the court hearing. If a party to the case requests to seek testimony in court from a person under the age of fifteen, the court shall determine whether the child may be examined or not. The court can reject such a request if the child may be supposed to suffer from an examination in a regular courtroom in front of many people.

529. A court may, in some cases, determine that a party or other person may attend a session via telephone or videoconference. Decisions on such participation may be granted if the party or the person to be examined feels a palpable fear of coming to the premises where the examination is to take place.

530. The Court may order that a victim or witness shall be examined in the absence of the defendant or another person attending the trial. Such an order may be issued if there is ground to believe that, in the presence of a party or any other person, a witness will not tell the truth openly through fear or other cause.

531. According to Swedish law, an examination in the District Court shall be recorded on video. If the case goes to appeal, the general rule is that the video recording from the District Court proceedings will be used in the Court of Appeal. This means that victims and witnesses, often need to appear in only one court, namely the District Court. It also limits the number of interviews with victims and witnesses.

532. A court may in certain cases, inter alia cases involving sexual offences or trafficking in human beings, decide that the hearing or part of the hearing shall be held in camera (behind closed doors). Examination of anyone under the age of fifteen may, even in other cases, be held in camera. It may be added that Swedish authorities work continuously to further improve the support and protection of vulnerable persons, particularly victims and witnesses. Sweden also participates actively in ongoing European Union operations aimed at strengthening the status of crime victims.

533. In early May 2012, the Minister of Justice received a report entitled New Criminal Injuries Compensation Act SOU 2012:26). The report had carried out a broad review of the act. A study had been made on whether opportunities for crime victim damages to be awarded to children who have witnessed violence against a close member of the family, a reform implemented in 2006, has meant that support for these children has been strengthened. The study found that the 2006 reform has not had the desired impact, mainly because routines for documentation of children who have witnessed violence have not had time to become sufficiently established within the criminal investigation and social service authorities. Consequently a number of improvements in this area were proposed. The proposal will now be circulated for comments to relevant government agencies and organisations.

534. On behalf of the Government, the National Police Board in cooperation with the Prosecution Authority and the National Board of Forensic Medicine, have developed common national guidelines to ensure that cooperation in investigations regarding child victims of crime is efficient and legally secure, with the best interests of the child in focus.

535. The Government commissioned the Crime Victim Compensation and Support Authority to further develop and implement a training programme for improved reception of victims of sex crimes in connection with police reports, preliminary investigations and trials. The training programme is to focus on the particular vulnerability and needs of children and young people in connection with sex crime cases. The Government has additionally commissioned the Crime Victim Compensation and Support Authority to carry out training measures to ensure that children who have witnessed violence and other abuse in close relationships are made more visible in preliminary investigations, thereby improving their opportunities to receive criminal injuries compensation, as well as other support and protection.

536. See also annex 1, paragraphs 104-117.